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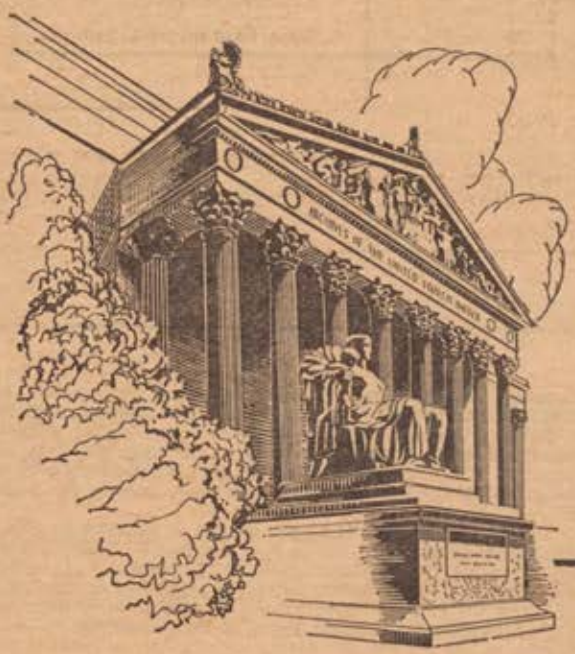

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PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102(v) is broadened to provide a single Schedule A exception for all Federal agencies to use in appointing boys and girls under the Youth Opportunity Campaign recently announced by the President. Effective on publication in the FEDERAL REGISTER, paragraph (v) of § 213.3102 is amended as set out below.

§ 213.3102 Entire executive civil service.

* * * * *

(v) Between June 1, 1965, and September 30, 1965, temporary summer trainee positions whose pay is fixed at the equivalent of the minimum wage established by the Fair Labor Standards Amendments of 1961 (currently $1.25 an hour) and whose duties involve laboring or other work of a routine nature requiring no specific knowledges or skills, when filled by persons appointed in furtherance of the President's Youth Opportunity Campaign. A person may not be appointed under this authority (1) unless he has reached his 16th but not his 22d birthday; or (2) for more than 700 hours.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 65-5609; Filed, May 27, 1965; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 15722; FCC 65-416]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Miscellaneous Amendments

In the matter of amendment of Part 2 of the Commission's rules to conform, to the extent practicable, with the Geneva (1959) Radio Regulations, as revised by the Space EARC, Geneva, 1963; Docket No. 15722.

1. The Commission adopted a notice of proposed rule making in the above-entitled matter on December 2, 1964, which was published in the FEDERAL REGISTER on December 16, 1964 (29 F.R. 17824). Interested parties were invited to file comments on or before January 15, 1965, and reply comments on or before January 25, 1965. The time for filing reply comments was subsequently extended to February 4, 1965, and was further extended to February 15, 1965. The Orders extending the reply comment period were published in the FEDERAL REGISTER on January 30, 1965 (30 F.R. 1009), and February 10, 1965 (30 F.R. 1878), respectively.

2. Comments were filed by the Committee on Radio Frequency Requirements for Scientific Research of the National Academy of Sciences (NAS), Hawaiian Telephone Co. (Hawaiian), Communications Satellite Corp. (Comsat), American Telephone & Telegraph Co. (A.T. & T.), and jointly by Aeronautical Radio, Inc. (ARINC) and Air Transport Association of America (ATA). Reply comments were filed by A.T. & T. and by Comsat, each with respect to the initial comments of the other.

3. NAS endorsed the proposals as set forth in the Commission's Notice. ARINC/ATA comments support the Commission's proposals, insofar as they are applicable to the aeronautical mobile (R) service and urge their adoption. ARINC/ATA also note the developmental work being done by the aviation industry to demonstrate the feasibility of using satellite relaying for two-way air-ground communication on long over-water flights. Prompt Commission action is requested to amend Part 87 of its rules to provide for the use of space techniques in the aeronautical mobile (R) service. The Commission is mindful of this development and plans to initiate appropriate proceedings in the near future. Additionally, ARINC/ATA invite the Commission's attention to their collective comments in Docket No. 15735, relating to the ownership and operation of earth stations in the communication-satellite service. That matter, however, is beyond the scope of this proceeding and will be resolved in due course in Docket No. 15735.

4. Hawaiian, the only communication common carrier providing regular public telephone service on and between the principal islands of the State of Hawaii, operates a number of radio-relay stations in the band 5925–6425 Mc/s but none in the band 3700–4200 Mc/s. Hawaiian, as stated in earlier filings with the Commission and repeated in this proceeding, expects to cooperate with the space communication system in the sharing of frequencies. It is now engaged in a coordinated effort with Comsat searching for a suitable earth station site in Hawaii. This search is complicated by the limited land areas available, and the degree to which the band 5925–6425 Mc/s is used by Hawaiian. Hawaiian states that any prospective earth station site in Hawaii would necessarily be within 27 miles of fixed stations now licensed to or applied for by Hawaiian. By 1972, if planned expansions are carried out to meet growing inter- and intra-island requirements, this distance will be reduced to 23 miles. Additionally, sample "coordination distance" calculations made by Hawaiian indicate that if an earth station is located at either end of the six-island Hawaiian chain, coordination would be required for all common carrier microwave stations presently located in Hawaii. Hawaiian also states that it is unaware of any usable earth station site on the Island of Oahu and believes that an attempt to operate such a station would result in interference to all of its existing and prospective facilities on that Island.

5. In dealing with the problems raised by Hawaiian, our flexibility is limited by the fact that the global communication-satellite system being considered must be operated in the internationally allocated bands 3700–4200 and 5925–6425 Mc/s. If Hawaii were to have no earth station, the global system could be implemented without fear of mutual interference resulting from Hawaiian's point-to-point microwave operations in the band 5925–6425 Mc/s. However, operations in Hawaii must be conformed to the global communication-satellite system, rather than the converse, if Hawaii is to have a terminal in the system. In light of Hawaiian's comments, this can be done only by providing an alternate band for many of its existing and future point-to-point microwave operations which otherwise would be in the band 5925–6425 Mc/s. It would not ease the problem to move them to the band 3700–4200 Mc/s since the earth station, trying to receive from the space station, would then be subjected to interference from Hawaiian's terrestrial system. The band 10,700–11,700 Mc/s is also available for common carrier fixed service use but Hawaiian states that it has limited applicability in Hawaii because of the distances to be traversed. Hawaiian, recognizing these problems, suggests that it will be necessary for the Commission to make special frequency allocation concessions in Hawaii to meet its unique needs. The Commission is taking no action at this time to resolve the problem before it. However, if and when an earth station site is mutually agreed, and the magnitude of the problem is more clearly defined, the Commission will give sympathetic consideration to the needs of Hawaiian and the earth station applicant.

6. Comsat limited its comments to a discussion of issues involving the communication-satellite service and, more specifically, to the content of the proposed footnote to the Table of Frequency Allocations, US91, reading as follows:

US91 The ultimate disposition of this band in the communication-satellite service, as between Government and non-Government, is deferred. In the meanwhile the non-Government may exploit the 4 and 6

Gc/s bands and the Government may exploit the 7 and 8 Gc/s bands for communication-satellite service systems intended to become operational. Any modification of this policy will be discussed and agreed in the FCC/DTM (IRAC) mechanism prior to the filing of applications with the IRAC for frequency assignments which are not in accordance with the foregoing.

In the Commission's notice it was proposed that the note be applied to the four bands 3700–4200, 5925–6425, 7250–7750, and 7900–8400 Mc/s, recognizing that the two lower bands would remain available only to non-Government users and the two higher bands would remain available only to Government users, insofar as nonspace activities were concerned. Comsat agreed with the Commission's proposal in that premature exclusion of non-Government usage of the 7 and 8 Gc/s bands would be avoided, but expressed concern over "the absence of provisions which will assure optimal utilization of these four bands for Communications-Satellite operations." Additionally, Comsat expressed concern over the last sentence of proposed footnote US91 on the ground that it would "require explicit modification by the IRAC [Interdepartment Radio Advisory Committee] before a non-Government application for a frequency assignment in the 7 and 8 Gc/s bands could be filed with the IRAC." This concern was based on the position that so long as a final decision has not been taken on the allocation, there must be provisions protecting non-Government's contingent rights to use the 7 and 8 Gc/s bands, otherwise future non-Government use of the bands could be foreclosed even though such use might be more beneficial to the national interest than the Government usage.

7. In light of the above Comsat proposes that the last sentence of footnote US91 be deleted and that two new sentences be added so that footnote US91, as modified, would read:

US91 The ultimate disposition of this band in the communication-satellite service, as between Government and non-Government, is deferred. In the meanwhile the non-Government may exploit the 4 and 6 Gc/s bands and the Government may exploit the 7 and 8 Gc/s bands for communication-satellite service systems intended to become operational. If required in the national interest, frequency assignments to a non-Government or Government communication-satellite service system which are contrary to this temporary allocation policy may be authorized by the FCC/DTM (IRAC) mechanism. FCC/DTM (IRAC) approval of each application for a frequency assignment within these bands to a communication-satellite service operation, whether consistent or inconsistent with this temporary allocation policy, shall be conditioned upon, among other considerations, its finding that the proposed frequency usag assures optimal utilization of these bands in the national interest.

8. A.T. & T. expresses agreement with the bulk of the Commission's proposals but it too centers its attention on the content of proposed footnote US91. Unlike Comsat, however, A.T. & T. favors immediate action to allocate 3700–4200 and 5925–6425 Mc/s exclusively to non-Government users and 7250–7750 and 7900–8400 Mc/s exclusively to Government users. In support of its position, A.T. & T. argues that "* * * Almost without exception, experience has shown that the most effective utilization of the frequency spectrum can be realized when sharing is between like users. This division of frequencies is particularly necessary between Government and non-Government users." This incompatibility is purportedly due to the differences in the way frequencies are assigned, their use regulated, and the use to which they are put.

9. Additionally, A.T. & T. interprets footnote US91 to mean that the 4 and 6 Gc/s bands could now be made available for Government communication-satellite service systems so long as they were not intended to become operational. In their view, the note also provides for assignments through the IRAC mechanism which do not conform to the interim division between Government and non-Government users. To forestall these possibilities, pending rule making to finalize definitive division of the communication-satellite service bands between Government and non-Government users, A.T. & T. proposes that US91 be amended to read as follows:

US91 The ultimate disposition of this band in the communication-satellite service, as between Government and non-Government, is deferred. In the meanwhile the non-Government may exploit the 4 and 6 Gc/s bands and the Government may exploit the 7 and 8 Gc/s bands for communication-satellite service systems.

10. A.T. & T. filed reply comments in rebuttal to Comsat's proposed treatment of US91. A.T. & T. argues that Comsat is attempting to ensure that protection of non-Government contingency rights to the use of the 7 and 8 Gc/s bands for communication-satellite service use but is ignoring the corollary which would afford the same contingency rights to Government users in the bands at 4 and 6 Gc/s. This would foster an admixture of Government/non-Government space operations with non-Government and Government terrestrial operations which would not be conducive to efficient spectrum utilization. A.T. & T. also argues that Comsat has directed its comments only to the matter of frequency sharing between Government and non-Government communication-satellite service operations and has ignored the added complexities arising from sharing between non-Government terrestrial systems and Government communication-satellite service operations. A.T. & T. reiterates its earlier proposal for the modification of US91.

11. Comsat's reply comments are directed mainly to the initial comments of A.T. & T. and the latter's proposed treatment of footnote US91. Comsat is opposed to the A.T. & T. modification except with respect to the deletion of the phrase "intended to become operational" now appearing at the end of the second sentence of US91 in the Commission's Notice. Comsat too favors deletion of the phrase, which otherwise appears to permit the use of the 4 and 6 Gc/s bands on a permanent basis for Government communication-satellites not intended for "operational" purposes. Comsat argues that the remainder of the A.T. & T. proposal would result in a premature and permanent restriction of non-Government to the 4 and 6 Gc/s bands and thus inhibit Comsat's ability to continue to develop a global system. In its view, since the Space Conference in Geneva, 1963, allocated only two-thirds the amount of space the United States had proposed for the communication-satellite service, frequency shortages are likely to develop. Therefore, Comsat takes the position that "until such time as the needs of Government and non-Government communication-satellite systems have been fully determined, the public interest will best be served by the adoption of the Corporation's proposal which attempts to preserve for the non-Government communication-satellite service the availability and usability of the 7 and 8 Gc/s bands".

12. The Commission is not persuaded that either A.T. & T. or Comsat has presented arguments sufficiently compelling to warrant a change in footnote US91 at this time. We do agree with Comsat that adoption of the A.T. & T. proposal would impose premature constraints on the communication-satellite service from a frequency availability standpoint. We do not agree with either Comsat or A.T. & T. that deletion of the phrase "intended to become operational" is desirable or necessary, nor do we agree with the interpretation they choose to place upon it. It is intended in the positive sense, i.e., that the development of an operational commercial system should go forward in the 4 and 6 Gc/s bands and that an operational Government system, if it is to be developed, should be developed in the 7 and 8 Gc/s bands. While the phrase does not preclude the use of either pair of bands for experimental systems, for example, neither is it intended as an open invitation for nonoperational systems. Each case must be judged on its merits, consistent with the allocation policy set forth in the footnote, until such time as a change appears warranted and is agreed in the FCC/DTM (IRAC) mechanism.

13. The remaining comment filed by A.T. & T. in response to the Commission's Notice is directed to proposed footnote US90 which contains the essence of the international footnote 356A, tailored to meet our national needs. As proposed by the Commission, US90 would read as follows:

US90 The band 2110–2120 Mc/s may be used by Government and non-Government stations for space telecommand at specific locations in conjunction with spacecraft engaged in deep space research, subject to such conditions as may be applied on a case-by-case basis.

A.T. & T. recommends that the footnote be amended by deleting the phrase "subject to such conditions as may be applied on a case-by-case basis," and substituting therefor the following:

subject to choice of sites and frequencies specified in § 25.203, to the coordination procedures outlined in Part 25 and to such other

conditions as may be applied on a case-by-case basis.

A.T. & T. states that "this band represents one-fourth of the frequency space available to common carriers in this area of the spectrum. The unavailability of this band because of its use for telecommand purposes would also reduce the usefulness of the associated band 2160–2180 Mc/s used for duplex operation. Since, in the international allocation, this is the only frequency band footnoted to permit deep space research telecommand operations, it appears this same limited access to this band is necessary in the United States. However, to avoid interference between common carrier operations and space research operations, coordination is required. In order for coordination procedures to be effective, it is obvious that coordination must be between all types of users of a particular frequency or frequency band. In a case such as this, where a proposal to make use of the band is likely to come from a Government entity which is not subject to normal FCC rules and regulations, the only opportunity for calling attention to necessary limitations and coordination procedures is through appropriate footnotes in the allocation table."

14. While appreciating the concern of A.T. & T. in this matter, the Commission is not adopting the proposed change to footnote US90. With or without the change, the Commission is in a position to maintain administrative control over the conditions applicable to the use of the band for deep space telecommand. The terms of any US footnote to the Table of Frequency Allocations are a matter of agreement between the Commission and the Director of Telecommunications Management (Interdepartment Radio Advisory Committee), DTM (IRAC), and are applicable equally to both Government and non-Government users. In this case, neither the DTM (IRAC) nor the Commission would authorize an additional deep space telecommand station without the concurrence of the other with respect to site, frequency, power, emission and operating conditions vis-a-vis other stations operating in the band. Additionally, as a matter of practice, we refrain from making reference to specific Commission Rules in US footnotes since the Commission could, through oversight, change the agreement represented by the US footnote merely by changing the terms of a specific rule which, generally, would not be subject to the concurrence of DTM (IRAC). As a practical matter, there is presently but one deep space telecommand station in the United States in this band and it is unlikely that a requirement for more will arise. That station is the Deep Space Instrumentation Facility at Goldstone, Calif., to which reference was made on December 5, 1962 in the Commission's Report and Order in Docket No. 14712. It is the station responsible for the commands to the Mariner flight now on its way to Mars and has been operating up to 9 hours per day since the launch of Mariner IV with no reports of interference to terrestrial systems in the band. There is on file with the Commission a "coordination distance contour" map for a virtually identical station at Goldstone to be operated in the band 2100–2110 Mc/s in Project Apollo that is applicable equally to the DSIF in the band 2110–2120 Mc/s.

15. Subsequent to the closing of the comment period, the National Academy of Sciences requested protection to radio astronomy observations of the OH complex in the band 1660–1670 Mc/s. Pursuant to Commission action taken in the Report and Order, Docket No. 14475, adopted September 11, 1963, published in the FEDERAL REGISTER on September 19, 1963 (28 F.R. 10261), the radio astronomy service was afforded allocation status in the band 1664.4–1668.4 Mc/s on a secondary basis. Although the two most pronounced OH spectral lines (whose laboratory frequencies are 1665.4 and 1667.4 Mc/s) are contained therein, the band is not wide enough to include the entire line profiles near the galactic center where doppler shifts, caused by unexpectedly high velocities, extend the lines beyond the allocated band. Other services contained within the 1660–1670 Mc/s band include meteorological aids (radiosonde) and meteorological satellites—services which appear capable of sharing, to a limited degree, with radio astronomy.

16. The bands 1660–1664.4 Mc/s and 1668.4–1670 Mc/s, as proposed in the notice in this proceeding, are allocated to both Government and non-Government services. After detailed consideration of the proposal, the DTM (IRAC) has concluded it is desirable to afford the radio astronomy service a measure of immediate relief by affording it allocation status in the 1660–1670 Mc/s band on a coequal, primary basis with the meteorological aids and meteorological-satellite services, and with the imposition of two additional US footnotes to the Table of Frequency Allocations. These footnotes, designated US99 and US101, would read as follows:

US99 In the band 1660–1700 Mc/s, the meteorological aids service (radiosonde) will to the maximum extent practicable confine its operations above the frequency 1670 Mc/s. Whenever it is necessary to operate radiosondes in the band 1660–1670 Mc/s within the United States, the radio astronomers will be notified in a timely manner.

US101 In the band 1660–1670 Mc/s, the radio astronomy service must accept such interference as may be received from the meteorological-satellite service.

17. The Commission concurs in the conclusion of the ODTM. Since there are no non-Government licensees in the band, the addition of the two US notes and the resultant amendment to the Table of Frequency Allocations affect Government services only and public notice pursuant to section 4 of the Administrative Procedure Act is not necessary or appropriate. Accordingly, these amendments are being consolidated with this proceeding.

18. Except for minor editorial corrections, therefore, but with the above addition, the Commission finds that the public interest would be served by adopting the rules set forth in its notice of proposed rule making in this proceeding.

Authority for the changes is contained in section 4(i) and 303(r) of the Communications Act of 1934, as amended.

19. *Therefore, it is ordered,* That Part 2 of the Commission's rules is amended as set forth in the Appendix below, effective July 1, 1965; *And it is further ordered,* That the proceedings in Docket No. 15722 are terminated herewith.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: May 19, 1965.

Released: May 20, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Part 2 is amended as follows:

§ 2.1 [Amended]

1. Section 2.1 is amended as follows:

a. The definition of *"Earth-space service"* is deleted.

b. The following definitions are amended to read as set forth below:

Aeronautical station. A land station in the aeronautical mobile service. In certain instances an aeronautical station may be placed on board a ship or an earth satellite.

Aircraft station. A mobile station in the aeronautical mobile service on board an aircraft or an air-space vehicle.

Earth station. A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

Space service. A radiocommunication service:

—between earth stations and space stations,
—or between space stations,
—or between earth stations when the signals are re-transmitted by space stations, or transmitted by reflection from objects in space, excluding reflection or scattering by the ionosphere or within the earth's atmosphere.

Space station. A station in the space service located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the earth's atmosphere.

c. The following new definitions are added in proper alphabetical sequence:

Active satellite. An earth satellite carrying a station intended to transmit or re-transmit radiocommunication signals.

Communication-satellite earth station. An earth station in the communication-satellite service.

Communication-satellite service. A space service:

—between earth stations, when using active or passive satellites for the exchange of communications of the fixed or mobile service, or
—between an earth station and stations on active satellites for the exchange of communications of the mobile service, with a view to their re-transmis-

sion to or from stations in the mobile service.

Communication-satellite space station. A space station in the communication-satellite service, on an earth satellite.

Deep space. Space at distances from the earth equal to or greater than the distance between the earth and the moon.

Fixed earth station. An earth station intended to be used at a specified fixed point.

Meteorological-satellite earth station. An earth station in the meteorological-satellite service.

Meteorological-satellite service. A space service in which the results of meteorological observations, made by instruments on earth satellites, are transmitted to earth stations by space stations on these satellites.

Meteorological-satellite space station. A space station in the meteorological-satellite service, on an earth satellite.

Mobile earth station. An earth station intended to be used while in motion or during halts at unspecified points.

Passive satellite. An earth satellite intended to transmit radiocommunication signals by reflection.

Radio astronomy station. A station in the radio astronomy service.

Radionavigation-satellite earth station. An earth station in the radionavigation-satellite service.

Radionavigation-satellite service. A service using space stations on earth satellites for the purpose of radionavigation, including, in certain cases, transmission or re-transmission of supplementary information necessary for the operation of the radionavigation system.

Radionavigation-satellite space station. A space station in the radionavigation-satellite service, on an earth satellite.

Spacecraft. Any type of space vehicle including an earth satellite or a deep-space probe, whether manned or unmanned.

Space research earth station. An earth station in the space research service.

Space research service. A space service in which spacecraft or other objects in space are used for scientific or technological research purposes.

Space research space station. A space station in the space research service.

Space telecommand. The use of radiocommunication for the transmission of signals to a space station to initiate, modify or terminate functions of the equipment on a space object, including the space station.

Space telemetering. The use of telemetering for the transmission from a space station of results of measurements made in a spacecraft, including those relating to the functioning of the spacecraft.

Space tracking. Determination of the orbit, velocity or instantaneous position of an object in space by means of radio determination, excluding primary radar, for the purpose of following the movement of the object.

Stationary satellite. A satellite, the circular orbit of which lies in the plane of the earth's equator and which turns about the polar axis of the earth in the same direction and with the same period as those of the earth's rotation.

Terrestrial service. Any radio service defined in this Part, other than a space service or the radio astronomy service.

Terrestrial station. A station in a terrestrial service.

2. Section 2.100 is amended to read as follows:

§ 2.100 International regulations in force.

The Radio Regulations (Geneva, 1959), which became effective internationally on May 1, 1961, were incorporated to the extent practicable in Subparts A and B of this part and became effective nationally on December 1, 1961. The Radio Regulations were subsequently revised, in part, by the Extraordinary Administrative Radio Conference (Geneva, 1963) which specified January 1, 1965 as the effective date of the revision. The partial revision has also been incorporated to the extent practicable in Subparts A and B of this part and is applicable nationally, effective July 1, 1965.

3. In § 2.102, paragraphs (a), (b) (4), (5), and (6) are amended to read:

§ 2.102 Assignment of frequencies.

(a) Except as otherwise provided in this section, the assignment of frequencies and bands of frequencies to all stations and classes of stations and the licensing and authorizing of the use of all such frequencies between 10 kc/s and 90 Gc/s, and the actual use of such frequencies for radiocommunication or for any other purpose, including the transfer of energy by radio, shall be in accordance with the Table of Frequency Allocations in § 2.106.

(b) * * *

(4) Experimental stations engaged solely in ionospheric sounding by means of the technique of sweeping a band of frequencies may be authorized the use of any band or bands or frequencies not allocated, on an exclusive or shared basis, to the radio astronomy service.

(5) Experimental stations to be operated pursuant to a contractual agreement with the United States Government and intended for the sole and express purpose of developing equipment or a technique to be employed by stations belonging to and operated by the United States may be authorized the use of any frequency which is not in a band allocated, on an exclusive or shared basis, to the radio astronomy service.

(6) Experimental stations intended for the sole and express purpose of developing equipment or a technique to be employed by stations under the jurisdiction of a foreign government may be authorized the use of any frequency which is not in a band allocated to the amateur service or the radio astronomy service.

* * * * *

4. Section 2.104 is revised to read as follows:

§ 2.104 Radio astronomy station notification.

(a) Pursuant to No. 639AC, Article 9A and Section F of Appendix 1A to the international Radio Regulations (as revised, Geneva, 1963), operators of radio astronomy stations desiring international recognition of their use of specific radio astronomy frequencies or bands of frequencies for reception, should file the following information with the Commission for inclusion in the Master International Frequency Register:

(1) The center of the frequency band observed, in kc/s up to 30,000 kc/s inclusive, and in Mc/s above 30,000 kc/s.

(2) Date of putting into use (actual or foreseen, as appropriate).

(3) Name and location of the station, including geographical co-ordinates in degrees and minutes.

(4) Width of frequency band observed by the station.

(5) Antenna type and dimensions, effective area and angular coverage in azimuth and elevation.

(6) Maximum hours of reception (G.M.T.) of the frequency band shown in subparagraph (1) of this paragraph.

(7) Overall receiving system noise temperature (°K).

(8) Class of observations to be taken on the frequency band shown in subparagraph (1) of this paragraph. Class A observations are those in which the sensitivity of the equipment is not a primary factor. Class B observations are those of such a nature that they can be made only with advanced low-noise receivers using the best techniques.

(b) Observations being conducted on frequencies or frequency bands not allocated to the radio astronomy service should be reported as in paragraph (a) of this section for information purposes. Information in this category will not be submitted for entry in the Master International Frequency Register and protection from interference will not be afforded such operations by stations in other services.

5. In § 2.105, paragraph (h)(1) is amended to read as follows:

§ 2.105 Application and format of the Table of Frequency Allocations.

* * * * *

(h) * * *

(1) Any footnote consisting of three digits or three digits and a one or two letter suffix, e.g., (170) or (215A), denotes a paragraph in the Geneva (1959) Radio Regulations as amended by the Space Conference (Geneva, 1963). Where such a footnote is applicable, without modification, to the national Table of Frequency Allocations, the symbol appears in the national table as well as in Column 1, 2, 3 or 4.

* * * * *

§ 2.106 [Amended]

6. Section 2.106 is amended as follows:

a. The table is amended, in part, to read as follows:

Worldwide		Region 2		United States		Federal Communications Commission				
Band (kc/s)	Service	Band (kc/s)	Service	Band (kc/s)	Allocation	Band (kc/s)	Service	Class of station	Frequency (kc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11
•		•		•		•	•		•	•
2495–2505		2495–2505 (203) (204)	STANDARD FREQUENCY.			2495–2505 (US68)	STARDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	2500	RADIO ASTRONOMY. Standard frequency.
•		•		•		•	•		•	•
4995–5005	STANDARD FREQUENCY. (204) (230)					4995–5005 (US68)	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	5000	RADIO ASTRONOMY. Standard frequency.
•		•		•		•	•		•	•
9995–10005	STANDARD FREQUENCY. (204) (214) (215)					9995–10005 (215) (US83)	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	10000	RADIO ASTRONOMY. Standard frequency.
•		•		•		•	•		•	•
14990–15010	STANDARD FREQUENCY. (204) (219)					14990–15010 (US68)	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	15000	RADIO ASTRONOMY. Standard frequency.
•		•		•		•	•		•	•
15450–15762	FIXED.					15450–16460	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
15762–15768	FIXED. Space Research. (215A)				(US100)					
15768–16460	FIXED.									
•		•		•		•	•		•	•
18030–18036	FIXED. Space Research. (215A)					18030–19990	FIXED.	Fixed.		AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
18036–19990	FIXED.				(US100)					
19990–20010	STANDARD FREQUENCY. (204) (220) (221) (221A)					19990–20000 (US68)	STANDARD FREQUENCY. Radio astronomy. (US74)	Radio astronomy. Standard frequency.	20000	Standard frequency.
						20000–20010 (US84)	STANDARD FREQUENCY. Space research.	Earth. Space. Standard frequency.		
•		•		•		•	•		•	•

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of stations / OF SERVICES
1	2	3	4	5	6	7	8	9	10	11
*	*			*		*	*	*	*	*
29.7-30.005	FIXED. (228) (229) (231) (232) MOBILE.			29.7-29.89	NG.	29.7-29.8	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
						29.8-29.89	FIXED. (232)	Fixed.	29.81-29.88 (NG31)	AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
				29.89-29.91 (232)	G.					
				29.91-30	NG.	29.91-30	FIXED. (232)	Fixed.	29.92-29.99 (NG31)	AERONAUTICAL FIXED. INTERNATIONAL FIXED PUBLIC.
30.005-30.01	FIXED. (228) (229) (231) MOBILE. SPACE RESEARCH. SPACE (Satellite identification).			30-30.56	G. (US94)					
30.01-37.75	FIXED. (228) (229) (230) (231) MOBILE.			30.56-32	NG.	30.56-32	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL LAND TRANSPORTATION. PUBLIC SAFETY.
				32-33 (231)	G.					
				33-34	NG.	33-33.01	LAND MOBILE.	Base. Land mobile.		LAND TRANSPORTATION.
						33.01-33.11	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.
						33.11-33.4	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
						33.4-34	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.
				34-35 (231)	G.					
				35-36	NG.	35-35.2	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
						35.2-35.68	LAND MOBILE.	Base. Land mobile.		DOMESTIC PUBLIC.
						35.68-36	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
				36-37 (231)	G.					
				37-38	NG.	37-37.01	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
						37.01-37.42	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.
						37.42-37.88	LAND MOBILE.	Base. Land mobile.		INDUSTRIAL.
						37.88-38	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.
37.75-38.25	FIXED. (228) (229) (231) MOBILE. Radio astronomy.									
38.25-41 (235) (236)	FIXED. (228) (229) (230) (231) MOBILE.			38-39	G. (US81)					

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of services (of stations)
1	2	3	4	5	6	7	8	9	10	11
				39–40	NG. (US94)	39–40	LAND MOBILE.	Base. Land mobile.		PUBLIC SAFETY.
				40–42 (286)	G. (US94)				40.68	Industrial, scientific and medical equipment.
*	*	*	*	*		*	*	*	*	*
68–73.0		68–73.0	FIXED. MOBILE. BROADCASTING.	*	*	*	*	*	*	*
				72–73 (US20)	NG.	72–73	FIXED. (NG1) (NG3)	Operational fixed.	72.02–72.96 (NG33)	Operational fixed.
73–74.6		73–74.6	RADIO ASTRONOMY. (283A) (283B)	73–74.6	G, NG. (US21) (US100)	73–74.6	RADIO ASTRONOMY. (US74)	Radio astronomy.		RADIO ASTRONOMY.
*	*	*	*	*		*	*	*	*	*
117.975–132	AERONAUTICAL MOBILE (R). (273) (273A)			117.975–121.975 (273) (US26) (US27) (US28) (US85)	G, NG.	117.975–121.975	AERONAUTICAL MOBILE (R).	Aeronautical. Aircraft.	118–121.4 (NG34)	Airdrome control.
									121.5	AERONAUTICAL MOBILE.
									121.6	Aeronautical search and rescue mobile; aeronautical utility land; aeronautical utility mobile.
									121.65–121.93 (NG34)	Aeronautical utility land; aeronautical utility mobile.
				121.975–123.075 (US29) (US30) (US31) (US80) (US85)	NG.	121.975–123.075	AERONAUTICAL MOBILE.	Aeronautical. Aircraft.	122.0–123.05 (NG34)	Private aircraft.
				123.075–123.575 (US32) (US33)	G, NG.	123.075–123.575	AERONAUTICAL MOBILE.	Aeronautical. Aircraft.	123.1 123.15 123.2 123.25 123.3 123.35 123.4 123.45 123.5 123.55	Flight test; flying school. Flight test. Do. Do. Flight test; flying school. Flight test. Do. Do. Flight test; flying school. Flight test.
				123.575–128.825 (US36) (US85)	G, NG.	123.575–128.825	AERONAUTICAL MOBILE (R).	Aeronautical. Aircraft.	123.6–128.8 (NG34)	AERONAUTICAL MOBILE.
				128.825–132 (US2) (US85)	NG.	128.825–132	AERONAUTICAL MOBILE (R).	Aeronautical. Aircraft.	128.85–132 (NG34)	AERONAUTICAL MOBILE.
132–136		132–136	FIXED. MOBILE. (273A) (276)	132–136 (US2) (US26) (US85)	G, NG. (US3)	132–136	AERONAUTICAL MOBILE (R).	Aeronautical. Aircraft.	132.05–135.95 (NG34)	AERONAUTICAL MOBILE.
136–137		136–137 (281A) (281B)	SPACE RESEARCH (Telemetering and tracking).	136–137	G, NG. (US100)	136–137	SPACE RESEARCH.	Space.		Telemetering; tracking

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of stations
1	2	3	4	5	6	7	8	9	10	11
137–138 (281E)	METEOROLOGICAL-SATELLITE. SPACE RESEARCH (Telemetering and tracking). (281F) SPACE (Telemetering and tracking).			137–138	G, NG. (US100)	137–138	METEOROLOGICAL-SATELLITE. SPACE (Telemetering and tracking).	Space.		METEOROLOGICAL-SATELLITE. SPACE.
138–143.6		138–143.6	FIXED. MOBILE. *Radiolocation.*	138–144 (US10)	G.					
143.6–143.65		143.6–143.65	FIXED. MOBILE. SPACE RESEARCH (Telemetering and tracking). *Radiolocation.*							
143.65–144		143.65–144	FIXED. MOBILE. *Radiolocation.*						143.91	Civil air patrol land; civil air patrol mobile.
144–146	AMATEUR. (284A)			144–148	AMATEUR. (284A) (US1)	144–148	AMATEUR.	Amateur.		AMATEUR.
146–148		146–148	AMATEUR.							
148–149.9 (285A)		148–149.9 (285A)	FIXED. MOBILE.	148–149.9 (US10) (US86)	G.				148.14 148.25	Civil air patrol land; civil air patrol mobile. Earth (telecommand).
149.9–150.05 (285B)	RADIONAVIGATION-SATELLITE.			149.9–150.05	G, NG. (US100)	149.9–150.05	RADIONAVIGATION-SATELLITE.	Space.		RADIONAVIGATION-SATELLITE.
150.05–174		150.05–174	FIXED. MOBILE.	150.05–150.8	G.					
				150.8–162	NG.					
(285A)		(285A)		(US86)		153.7325–154.46	LAND MOBILE.	Base. Land mobile.	154.2	PUBLIC SAFETY. (NG26) Earth (telecommand).
225–235		225–235	FIXED. MOBILE.	225–328.6 (310) (US17) (US98)	G.					
235–267 (309)	FIXED. MOBILE.								243	Survival craft and equipment.
267–272	FIXED. MOBILE. Space (telemetering). (309A) (309B)									
272–273	FIXED. MOBILE. SPACE (Telemetering). (309A)									

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11
278–328.6 (310)	FIXED. MOBILE.									
*	*	*		*		*	*	*	*	*
335.4–399.9	FIXED. MOBILE.			335.4–399.9	G.					
399.9–400.05	RADIONAVIGATION-SATELLITE (301A)			399.9–400.05	G, NG. (US100)	399.9–400.05	RADIONAVIGATION-SATELLITE.	Space.		RADIONAVIGATION-SATELLITE.
400.05–401	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. (Maintenance telemetering). SPACE RESEARCH (Telemetering and tracking).			400.05–401	G, NG.	400.05–401	METEOROLOGICAL AIDS. (US70) SPACE RESEARCH (Telemetering and tracking).	Radiosonde.		Radiosonde. Space.
401–402	METEOROLOGICAL AIDS. SPACE (Telemetering). (315A) Fixed. Mobile except aeronautical mobile.			401–402	G, NG.	401–402	METEOROLOGICAL AIDS. (US70) SPACE (Telemetering). (315A)	Radiosonde. Space.		Radiosonde. Space.
402–406 (317)	METEOROLOGICAL AIDS. Fixed. Mobile except aeronautical mobile.			402–404	G, NG.	402–404	METEOROLOGICAL AIDS. (US70)	Radiosonde.		Radiosonde.
				404–406	G, NG.	404–406	METEOROLOGICAL AIDS. (US70) Radio astronomy. (US74)	Radio astronomy. Radiosonde.		RADIO ASTRONOMY. Radiosonde.
*	*	*		*		*	*	*	*	*
420–450		420–450 (318) (319A)	RADIOLOCATION. Amateur.	420–450 (US6) (US35) (US87)	G, NG.	420–450	Amateur. (US7)	Amateur.		AMATEUR.
450–460 (318) (319A)	FIXED. MOBILE.			450–470 (US6) (US87)	NG.	450–451	LAND MOBILE.	Base. Land mobile.		Remote pickup broadcast base; remote pickup broadcast mobile.
						*	*	*	*	*
460–470	FIXED. MOBILE. Meteorological-Satellite. (318A)				(US100)	460–462.525	*	*	*	*
						*	*	*	*	*
470–890		470–890 (332)	BROADCASTING.	470–890 (NG30) (NG43) (US88)	NG. (US100)	470–890	BROADCASTING.	Television broadcasting.		
890–942		890–942 (339A) (340)	FIXED. RADIOLOCATION.	890–942 (340)	G. (US36)				915	Industrial, scientific and medical equipment.
942–960		942–960 (339A)	FIXED.	942–960	NG.	*	*	*	*	*
*	*	*		*		*	*	*	*	*

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of services [of stations]
1	2	3	4	5	6	7	8	9	10	11
1427-1429	FIXED. MOBILE except aeronautical mobile. SPACE (Telecommand).			1427-1429	G, NG. (US60)	1427-1429	SPACE.	Earth.		Earth (telecommand).
1429-1435		1429-1435	FIXED. MOBILE.	1429-1435	G.					
1435-1525		1435-1525	MOBILE. Fixed.	1435-1525	G, NG. (US78)	1435-1525	MOBILE.	Aeronautical telemetering.		AVIATION.
1525-1535		1525-1535	SPACE. (Telemetering.) (350A) Fixed. Mobile. (350D)	1525-1535	G, NG. (350A) (US80) (US100)	1525-1535	MOBILE. SPACE.	Aeronautical telemetering. Space.		AVIATION. Space (telemetering).
1535-1540	SPACE. (Telemetering). (350A)			1535-1540 (350A)	G, NG.	1535-1540	SPACE. (Telemetering).	Space.		Space (telemetering).
1540-1660	AERONAUTICAL RADIONAVIGATION. (352A) (352B)			1540-1660	G, NG. (332A) (332B) (US89)	1540-1660	AERONAUTICAL RADIONAVIGATION.			
1660-1664.4 (354A)	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. (324A)			1660-1670	G, NG. (324A) (US74) (US99) (US100) (US101)	1660-1670	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. RADIO ASTRONOMY	Radio astronomy. Radiosonde. Space.		
1664.4-1668.4 (353A) (354A)	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. (324A) Radio astronomy.									
1668.4-1670 (354A)	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE. (324A)									
•		•		•		•	•	•	•	•
1690-1700 (354A)		1690-1700	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE (324A)	1690-1700	G, NG. (324A) (US99)	1690-1700	METEOROLOGICAL AIDS. METEOROLOGICAL-SATELLITE	Radiosonde. Space.		
1700-1710		1700-1710 (355A)	SPACE RESEARCH (Telemetering and tracking).	1700-1710	G, NG. (US100)	1700-1710	SPACE RESEARCH (Telemetering and tracking).	Space.		Space (telemetering and tracking).

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11
1710-1770		1710-1770	FIXED. MOBILE.	1710-1850	G. (US100)					
1770-1790		1770-1790	FIXED. MOBILE. Meteorological-Satellite. (356AA)							
1790-2290		1790-2290 (356A)	FIXED. MOBILE.	1850-2200	NG.	*	*	*	*	*
						2110-2130 (NG10) (NG23) (US90)	FIXED.	Domestic fixed public.		
						*	*	*	*	*
				2200-2290	G.					
2290-2300		2290-2300 (356B)	SPACE RESEARCH (Telemetering and tracking in deep space).	2290-2300	G, NG. (US100)	2290-2300	SPACE RESEARCH (Telemetering and tracking in deep space).	Space.		Space (telemetering and tracking in deep space).
2690-2700 (264A) (365)	RADIO ASTRONOMY.			2690-2700	G, NG. (US74) (US100)	2690-2700	RADIO ASTRONOMY.	Radio astronomy.		
*	*	*	*	*	*	*	*	*	*	*
3300-3400		3300-3400	RADIOLOCATION. Amateur.	3300-3500	G, N.G. (US61)	*	*	*	*	*
3400-3500		3400-3500	RADIOLOCATION. COMMUNICATION-SATELLITE (satellite to earth). (374A) Amateur.							
3500-3700		3500-3700	FIXED. MOBILE. RADIOLOCATION. COMMUNICATION-SATELLITE (satellite to earth). (374A)	3500-3700	G.					
3700-4200		3700-4200	FIXED. MOBILE. COMMUNICATION-SATELLITE (satellite to earth). (374A)	3700-4200	----------	3700-4200	COMMUNICATION-SATELLITE. (374A) (US91) FIXED. (NG)	Common carrier fixed. Space.		COMMUNICATION-SATELLITE. DOMESTIC PUBLIC. (NG41)
4200-4400 (352A)	AERONAUTICAL RADIONAVIGATION.			4200-4400	G, N.G. (352A) (US47)	4200-4400	AERONAUTICAL RADIONAVIGATION.	Altimeter.		

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of stations
1	2	3	4	5	6	7	8	9	10	11
4400–4700	FIXED. MOBILE. COMMUNICATION-SATELLITE (earth to satellite). (392A)			4400–4990	G.					
4700–4990 (383)	FIXED. MOBILE.									
4990–5000		4990–5000 (383A)	RADIO ASTRONOMY.	4990–5000	G, NG. (US74) (US100)	4990–5000	RADIO ASTRONOMY.	Radio astronomy.		
5000–5250 (352A) (352B)	AERONAUTICAL RADIONAVIGATION.			5000–5250	G, NG. (352A) (352B)	5000–5250	AERONAUTICAL RADIONAVIGATION.			
5250–5255	RADIOLOCATION. Space research.			5250–5350	G.					
5255–5350	RADIOLOCATION.									
•		•		•		•	•	•		•
5650–5670	RADIOLOCATION. Amateur.			5650–5925 (391)	G, NG (US52)	5650–5925	Amateur.	Amateur.		
5670–5725 (389A)	RADIOLOCATION. Amateur. Space research (deep space).				(US100)					
5725–5925		5725–5925 (391)	RADIOLOCATION. Amateur.						5800	Industrial scientific & medical equipment.
5925–6425	FIXED. MOBILE. COMMUNICATION-SATELLITE (earth to satellite). (392A)			5925–6425	(392A)	5925–6425	COMMUNICATION-SATELLITE. (US91) FIXED. (NG)	Common carrier fixed. Fixed earth.		COMMUNICATION-SATELLITE. DOMESTIC PUBLIC. (NG41)
6425–7250 (392F) (393A)	FIXED. MOBILE.			6425–7125	NG.	6425–6525 (NG46)	MOBILE.	Common carrier land. Common carrier mobile.		
						•	•	•	•	•
				7125–7250	G.					
7250–7300 (374A) (392C) (392D) (392G)	COMMUNICATION-SATELLITE (satellite to earth).			7250–7300	(374A) (392D) (US100)	7250–7300	COMMUNICATION-SATELLITE (US91).	Space.		COMMUNICATION-SATELLITE.
7300–7750 (392F)	FIXED. MOBILE. COMMUNICATION-SATELLITE (satellite to earth). (374A) (392D)			7300–7750	(374A) (392D)	7300–7750	COMMUNICATION-SATELLITE (US91). METEOROLOGICAL-SATELLITE (G/NG). (US92)	Space.		COMMUNICATION-SATELLITE. METEOROLOGICAL-SATELLITE.

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Mc/s)	Service	Band (Mc/s)	Service	Band (Mc/s)	Allocation	Band (Mc/s)	Service	Class of station	Frequency (Mc/s)	Nature of services / of stations
1	2	3	4	5	6	7	8	9	10	11
7750-7900	FIXED. MOBILE.			7750-7900	G.					
7900-7975	FIXED. MOBILE. COMMUNICATION-SATELLITE (earth to satellite). (392A)			7900-7975	(392A)	7900-7975	COMMUNICATION-SATELLITE. (US91). [FIXED (G). MOBILE (G)].	Earth.		COMMUNICATION-SATELLITE.
7975-8025 (392A) (392C) (392H)	COMMUNICATION-SATELLITE (earth to satellite).			7975-8025	(392A) (US100)	7975-8025	COMMUNICATION-SATELLITE. (US91)	Earth.		COMMUNICATION-SATELLITE.
8025-8400	FIXED. MOBILE. COMMUNICATION-SATELLITE (earth to satellite). (392A)			8025-8400	(392A)	8025-8400	COMMUNICATION-SATELLITE. (US91) [FIXED (G). MOBILE (G)].	Earth.		COMMUNICATION-SATELLITE.
8400-8500		8400-8500	SPACE RESEARCH. (394C)	8400-8500	G, NG. (US62) (US100)	8400-8500	SPACE RESEARCH. Fixed. Mobile.	Fixed. Mobile. Space.		
•		•		•		•		•	•	•
9500-9800	RADIOLOCATION.									
9800-10000 (401A)	RADIOLOCATION. Fixed.			9800-10000	G. (401A)					
10000-10500 (401A)	RADIOLOCATION. Amateur.			10000-10500	G, NG. (401A) (US58)	•	•	•	•	•

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Gc/s)	Service	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Class of station	Frequency (Gc/s)	Nature of services / of stations
1	2	3	4	5	6	7	8	9	10	11
10.5-10.55		10.5-10.55	RADIOLOCATION. (404)	10.5-10.55	G, NG. (US59)	10.5-10.55	RADIOLOCATION.	Radiolocation land. Radiolocation mobile.		RADIOLOCATION.
10.55-10.68	FIXED. MOBILE. Radiolocation.			10.55-10.68	NG.	10.55-10.68 (NG46)	MOBILE.	Operational land. Operational mobile.		
10.68-10.7 (405B)	RADIO ASTRONOMY.			10.68-10.7	G, NG. (US70) (US100)	10.68-10.7	RADIO ASTRONOMY.			
10.7-11.7	FIXED. MOBILE.			10.7-11.7	NG.	10.7-11.7	FIXED.	Common carrier fixed.		DOMESTIC PUBLIC. (NG41)

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Gc/s)	Service	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Class of station	Frequency (Gc/s)	Nature of stations / OF SERVICES
1	2	3	4	5	6	7	8	9	10	11
11.7-12.7	FIXED. MOBILE except aeronautical mobile. BROADCASTING.			11.7-13.25	NG.	11.7-12.2	MOBILE.	Common carrier land. Common carrier mobile (except aeronautical mobile).		
						12.2-12.7 (NG8)	FIXED.	International control. Operational fixed.		
12.7-13.25	FIXED. MOBILE.					12.7-13.2 (NG11)	FIXED. MOBILE.	Television pickup. Television STL.		
						13.2-13.25	FIXED. MOBILE.			
13.25-13.4	AERONAUTICAL RADIONAVIGATION. (406)			13.25-13.4	G, NG.	13.25-13.4	AERONAUTICAL RADIONAVIGATION. (406)			Airborne doppler radar.
13.4-14.0	RADIOLOCATION.			13.4-14.0	G.					
14.0-14.3	RADIONAVIGATION.			14.0-14.3	G, NG.	14.0-14.3	RADIONAVIGATION.			
14.3-14.4	RADIONAVIGATION-SATELLITE.			14.3-14.4	G, NG.	14.3-14.4	RADIONAVIGATION-SATELLITE.	Earth. Space.		RADIONAVIGATION-SATELLITE.
14.4-15.25	FIXED. MOBILE.			14.4-15.25	G.					
15.25-15.35 (409A)	SPACE RESEARCH.			15.25-15.35	G, NG. (US180).	15.25-15.35	SPACE RESEARCH.	Space.		
15.35-15.4 (409C)	RADIO ASTRONOMY.			15.35-15.4	G, NG. (US74) (US180).	15.35-15.4	RADIO ASTRONOMY.			
15.4-15.7	AERONAUTICAL RADIONAVIGATION (352A) (352B)			15.4-15.7	G, NG. (352A) (352B)	15.4-15.7	AERONAUTICAL RADIONAVIGATION.			
15.7-17.7	RADIOLOCATION.			15.7-17.7	G.					
17.7-19.3	FIXED. MOBILE.			17.7-19.3	NG.	17.7-19.3	FIXED. MOBILE.			
19.3-19.4 (409D)	RADIO ASTRONOMY.			19.3-19.4	G, NG. (US74) (US180)	19.3-19.4	RADIO ASTRONOMY.			
19.4-21.0	FIXED. MOBILE.			19.4-19.7	NG.	19.4-19.7	FIXED. MOBILE.			
				19.7-21.0	G.					
21.0-22.0	AMATEUR.			21.0-22.0	AMATEUR.	21.0-22.0	AMATEUR.	Amateur.		AMATEUR.
22.0-23.0 (410)	FIXED. MOBILE.			22.0-23.0	G. (410)				22.125	Industrial, scientific and medical equipment.
23.0-24.25	RADIOLOCATION.			23.0-24.25	G.					
24.25-25.25	RADIONAVIGATION. (411)			24.25-25.25	G, NG. (US72)	24.25-25.25	RADIONAVIGATION. (411)			
25.25-31.0	FIXED. MOBILE.			25.25-27.825	G.					
31.0-31.3 (412H)	FIXED. MOBILE. Space research.			27.825-31.3	NG. (US180)	27.825-31.3	FIXED. MOBILE.			

Worldwide		Region 2		United States		Federal Communications Commission				
Band (Gc/s)	Service	Band (Gc/s)	Service	Band (Gc/s)	Allocation	Band (Gc/s)	Service	Class of station	Frequency (Gc/s)	Nature of services
1	2	3	4	5	6	7	8	9	10	11
31.3-31.5 (412A)	RADIO ASTRONOMY.			31.3-31.5	G, NG. (US74) (US300)	31.3-31.5	RADIO ASTRONOMY.			
31.5-31.8		31.5-31.8 (406C)	SPACE RESEARCH.	31.5-31.8	G, NG. (US300)	31.5-31.8	SPACE RESEARCH.			
31.8-32.3 (412B)	RADIONAVIGATION. Space research.			31.8-33.4	G, NG. (US300)	31.8-33.4	RADIONAVIGATION. (US69)			
32.3-33.0	RADIONAVIGATION.									
33.0-33.4		33.0-33.4	RADIONAVIGATION. (412F)							
33.4-34.2 (412G)	RADIOLOCATION.			33.4-38.6	G. (US300)					
34.2-35.2 (412C) (412D)	RADIOLOCATION. Space research.									
35.2-36.0	RADIOLOCATION.									
36.0-40.0 (412E)	FIXED. MOBILE.									
				38.6-40.0	NG.	38.6-40.0	FIXED. MOBILE.			
Above 40.0	Not allocated.			40.0-88.0	G, NG.	40.0-88.0		Amateur. Experimental.		
				88.0-90.0	G, NG. (US74)	88.0-90.0	RADIO ASTRONOMY.			
				Above 90.0	G, NG.	Above 90.0		Amateur. Experimental.		

b. In the list of footnotes immediately following the Table in § 2.106, Geneva footnote numbers (234), (253), (280), (281), and (405) are deleted.

c. The following Geneva footnotes to the Table in § 2.106 are amended to read:

(215) The band 10003–10005 kc/s is also allocated, on a secondary basis, to the space research service.

(221) The band 19990–20010 kc/s is also allocated, on a secondary basis, to the space research service.

(235) The band 39.986–40.002 Mc/s is also allocated, on a secondary basis, to the space research service.

(294) The band 183.1–184.1 Mc/s is also allocated, on a secondary basis, to the space research service.

(317) The band 404–410 Mc/s in Region 2 and the band 406–410 Mc/s in Regions 1 and 3 are also allocated to the radio astronomy service. An appropriate continuous band within these limits shall be designated on a national or area basis. In making assignments to stations of other services to which these bands are allocated, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference.

(341) The band 960–1215 Mc/s is reserved on a world-wide basis for the use and development of airborne electronic aids to air navigation and any directly associated ground-based facilities.

(365) In making assignments to stations in the fixed and mobile services, administrations are urged to take all practicable steps to protect radio astronomy observations from harmful interference.

d. The following new Geneva footnotes are added to the Table in § 2.106 in proper numerical sequence:

(215A) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the bands 15762–15768 kc/s and 18030–18036 kc/s.

(221A) The frequency 20007 kc/s may also be used, in emergency, in the search for, and rescue of, astronauts and space vehicles. Emissions must be confined in a band of ± 3 kc/s about this frequency.

(253A) In Region 2, fixed, mobile and broadcasting service operations previously authorized in the band 73–74.6 Mc/s may continue to operate on a non-interference basis to the radio astronomy service.

(253B) In Cuba, the band 73–74.6 Mc/s is also allocated to the fixed, mobile and broadcasting services.

(273A) In the band 117.975–132 Mc/s and in the band 132–136 Mc/s where the aeronautical mobile (R) service is authorized, the use and development, for this service, of systems using space communication techniques may be authorized but limited initially to satellite relay stations of the aeronautical mobile (R) service. Such use and development shall be subject to co-ordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

(281A) For the use of the band 136–137 Mc/s, see Recommendation No. 7A.

(281B) In Region 2, the band 136–137 Mc/s is also allocated to the fixed and mobile services until 1 January 1969. Thereafter, in Cuba, the band will continue to be allocated also to the fixed and mobile services.

(281E) In Regions 2 and 3, the band 137–138 Mc/s is also allocated to the fixed and mobile services until 1 January 1969. Thereafter, in Cuba, Malaysia, Pakistan and the Philippines, the band 137–138 Mc/s will continue to be allocated also to the fixed and mobile services.

(281F) The band 137–138 Mc/s will be used mainly for research concerning the establishment, technical improvement, and maintenance of operational space systems.

(284A) In the band 144–146 Mc/s, artificial satellites may be used by the amateur service.

(285A) The frequencies 148.25±15 kc/s and 154.2±15 kc/s may be used for space telecommand, subject to agreement among the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(285B) Stations operating in the fixed and mobile services may continue to use this band until 1 January 1969. This cessation date shall not apply in Austria, Bulgaria, Cuba, Hungary, Iran, Kuwait, Morocco, Pakistan, the Netherlands, Poland, the United Arab Republic, Yugoslavia and Roumania where the fixed and mobile services will continue to have equal primary status with the radionavigation-satellite service. (See Recommendation No. 6A.)

(309A) Space stations employing frequencies in the band 267–273 Mc/s for telemetering purposes may also transmit tracking signals in the band.

(309B) In the band 267–272 Mc/s individual administrations may use space telemetering in their countries on a primary basis, subject to the agreement of the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(311A) Stations operating in the fixed and mobile services may continue to use this band until 1 January 1969. This cessation date shall not apply in Bulgaria, Cuba, Greece, Hungary, Iran, Kuwait, Lebanon, Morocco, the United Arab Republic and Yugoslavia where the fixed and mobile services will continue to have equal status with the radionavigation-satellite service. (See Recommendation No. 6A.)

(315A) Space stations employing frequencies between ~01–402 Mc/s for telemetering purposes may also transmit tracking signals in this band.

(318A) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the band 460–470 Mc/s may be used, on a primary basis, by the meteorological-satellite service subject to agreement among administrations concerned and those having services, or intending to introduce services, operating in accordance with the Table, which may be affected.

(319A) The band 449.75–450.25 Mc/s may be used for space telecommand, subject to agreement among the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(324A) It is intended that meteorological-satellite space stations operating in this band shall transmit to selected earth stations. The location of such earth stations is subject to agreement among administrations concerned and those having services operating in accordance with the Table, which may be affected.

(332) In Region 1, except the African Broadcasting Area, the band 606–614 Mc/s, and in Region 3, the band 610–614 Mc/s may be used by the radio astronomy service. Administrations shall avoid using the band concerned for the broadcasting service as long as possible, and thereafter, as far as practicable, shall avoid the use of such effective radiated powers as will cause harmful interference to radio astronomy observations.

In Region 2, the band 608–614 Mc/s is reserved exclusively for the radio astronomy service until the first Administrative Radio Conference after 1 January 1974 which is competent to review this provision; however, this provision does not apply to Cuba.

(339A) Specific portions of the frequency band 900–960 Mc/s may also be used, on a secondary basis, for experimental purposes in connection with space research.

(350A) Space stations employing frequencies in the band 1525–1540 Mc/s for telemetering purposes may also transmit tracking signals in the band.

(350D) In Cuba, the band 1525–1535 Mc/s is also allocated, on a primary basis, to the mobile service.

(352A) The bands 1540–1660 Mc/s, 4200–4400 Mc/s, 5000–5250 Mc/s and 15.4–15.7 Gc/s are reserved, on a world-wide basis, for the use and development of airborne electronic aids to air navigation and any directly associated ground-based or satellite-borne facilities.

(352B) The bands 1540–1660 Mc/s, 5000–5250 Mc/s and 15.4–15.7 Gc/s are also allocated to the aeronautical mobile (R) service for the use and development of systems using space communication techniques. Such use and development is subject to agreement and co-ordination between administrations concerned and those having services operating in accordance with the Table, which may be affected.

(353A) In view of the successful detection of two spectral lines in the region of 1665 Mc/s and 1667 Mc/s by astronomers, administrations are urged to give all practicable protection in the band 1664.4–1668.4 Mc/s for future research in radio astronomy.

(354A) In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the bands 1660–1670 Mc/s and 1690–1700 Mc/s are also allocated to the fixed service and the mobile, except aeronautical mobile, service.

(355A) In Cuba, the band 1700–1710 Mc/s is also allocated to the fixed and mobile services.

(356AA) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the meteorological-satellite service, in the band 1770–1790 Mc/s, shall be on a primary basis, subject to co-ordination with the administrations concerned and those having services operating in accordance with the Table, which may be affected by the siting of earth stations.

(356A) The band 2110–2120 Mc/s may be used for telecommand in conjunction with spacecraft engaged in deep space research, subject to agreement between the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(356B) In Cuba, the band 2290–2300 Mc/s is also allocated to the fixed and mobile services.

(364A) In Algeria, Bulgaria, Cuba, Hungary, India, Israel, Kuwait, Lebanon, Morocco, Pakistan, the Philippines, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 2690–2700 Mc/s is also allocated to the fixed and mobile services.

(374A) This band may also be used for the transmission of tracking and telemetering signals associated with communication-satellite space stations operating in the same band.

(383A) In Cuba, the band 4990–5000 Mc/s is also allocated to the fixed and mobile services, and the provisions of No. 365 apply.

(389A) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the space research service is a primary service in the band 5670–5725 Mc/s.

(392A) This band may also be used for the transmission of telecommand signals associated with communication-satellite earth stations operating in the same band.

(392C) Stations of the fixed and mobile services, previously authorized in the bands 7250–7300 Mc/s and 7975–8025 Mc/s, may continue to operate until 1 January 1969. This provision does not apply to the countries listed in Nos. 392G and 392H.

(392D) As an exception, passive communication-satellite systems also may be accommodated in the band 7250–7750 Mc/s, subject to:

(a) Agreement between administrations concerned and those whose services, operating in accordance with the Table, may be affected;

(b) The co-ordination procedure laid down in Articles 9 and 9A.

Such systems shall not cause any more interference at active earth station receivers than would be caused by fixed or mobile services. Power-flux density limitations at the earth's surface after reflection from the passive communication-satellites shall not exceed those prescribed in these Regulations for active communication-satellite systems.

The maximum effective power radiated in any direction in the horizontal plane by earth stations of passive satellite systems shall not exceed +55 dbW, not taking the site shielding factor into account. If the distance between a transmitting station of a passive system and the territory of another administration exceeds 400 km, this limitation may be increased in that direction by 2 db for each 100 km in excess of 400 km up to a maximum of 65 dbW.

(392F) In the bands 7200–7250 Mc/s and 7300–7750 Mc/s, the meteorological-satellite service may use a band up to 100 Mc/s in width on a primary basis. These bands may also be used for the transmission of tracking and telemetering signals associated with meteorological-satellite space stations operating in the same band.

(392G) In Algeria, Austria, Bulgaria, Cyprus, Cuba, Ethiopia, Finland, Hungary, Japan, Kuwait, Lebanon, Liberia, Malaysia, Morocco, the Philippines, Poland, the United Arab Republic, Yugoslavia, Roumania, Sweden, Switzerland, Czechoslovakia, and the U.S.S.R., the band 7250–7300 Mc/s is also allocated to the fixed and mobile services.

(392H) In Algeria, Bulgaria, Cuba, Ethiopia, Finland, Hungary, Japan, Kuwait, Lebanon, Morocco, Poland, the United Arab Republic, Yugoslavia, Roumania, Sweden, Switzerland, Czechoslovakia, and the U.S.S.R., the band 7975–8025 Mc/s is also allocated to the fixed and mobile services.

(393A) The band 7120–7130 Mc/s may be used for telecommand in association with space services, subject to agreement between the administrations concerned and those having services operating in accordance with the Table, which may be affected.

(394C) In Cuba, the band 8400–8500 Mc/s is also allocated to the fixed and mobile services.

(401A) The band 9975–10025 Mc/s may be used by weather radar on meteorological-satellites.

(405B) In Algeria, Bulgaria, Cuba, Hungary, Japan, Kuwait, Lebanon, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 10.68–10.7 Gc/s is also allocated to the fixed and mobile services.

(409A) In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 15.25–15.35 Gc/s is also allocated to the fixed and mobile services.

(409C) In Algeria, Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Morocco, Pakistan, Poland, the United Arab Republic, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 15.35–15.4 Gc/s is also allocated to the fixed and mobile services.

(409D) In Bulgaria, Cuba, Hungary, Kuwait, Lebanon, Poland, the United Arab Republic, Roumania, Czechoslovakia, and the U.S.S.R., the band 19.3–19.4 Gc/s is also allocated to the fixed and mobile services.

(412A) In Bulgaria, Cuba, Hungary, Poland, the United Arab Republic, Roumania, Czechoslovakia, and the U.S.S.R., the band 31.3–31.5 Gc/s is also allocated to the fixed and mobile services.

(412B) In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslo-

vakia, and the U.S.S.R., the space research service is a primary service in the band 31.8–32.3 Gc/s.

(412C) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the space research service is a primary service in the band 34.2–35.2 Gc/s.

(412D) The band 34.4–34.5 Gc/s may be used by weather radar devices on meteorological satellites for the detection of cloud.

(412E) In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia, and the U.S.S.R., the band 36.5–37.5 Gc/s is also allocated to the radio astronomy service.

(412F) In Cuba and India, the band 33–33.4 Gc/s is also allocated to the radio astronomy service.

(412G) In Bulgaria, Cuba, Hungary, Poland, Yugoslavia, Roumania, Czechoslovakia and the U.S.S.R., the band 33.4–34 Gc/s is also allocated to the radio astronomy service.

(412H) In Bulgaria, Cuba, Hungary, Poland, Roumania, Czechoslovakia, and the U.S.S.R., the space research service is a primary service in the band 31–31.3 Gc/s.

e. Footnote NG48 is deleted from the NG footnotes following the Table of Frequency Allocations in § 2.106.

f. Footnote NG41 is amended to read as follows:

NG41 Frequencies in the bands 3700–4200 Mc/s, 5925–6426 Mc/s, and 10.7–11.7 Gc/s may also be assigned to stations in the international fixed public and international control services located in U.S. Possessions in the Caribbean area.

g. Footnotes US22, US63, US64, US73, US75, and US76 are deleted from the US footnotes following the Table of Frequency Allocations in § 2.106.

h. The following US footnotes (introductory text only for US7) to the Table in § 2.106 are amended to read:

US7 In the band 420–450 Mc/s and within the following areas, the DC plate power input to the final stage of a transmitter employed in the amateur service shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District Office and the Military Area Frequency Coordinator at the applicable military base:

* * * * *

US21 Existing Government operations and non-Government stations authorized in this band as of December 1, 1961, may continue and shall not be required to afford protection to radio astronomy observatories within the United States and its possessions. However, by international agreement, such stations must afford protection to the observatories of other countries.

US26 The bands 117.975–121.425 Mc/s, 123.575–128.825 Mc/s and 132.025–136 Mc/s are for air traffic control communications.

US35 Except as provided by footnotes US6 and US87, the only non-Government service permitted in the band 420–450 Mc/s is the amateur service. The amateur service shall not cause harmful interference to the radiolocation service.

US53 In view of the fact that the band 13.25–13.4 Gc/s is allocated exclusively to doppler navigation aids, Government and non-Government airborne doppler radars in the aeronautical radio-navigation service are permitted in the band 8750–8850 Mc/s only on the condition that they must accept any interference which may be experienced from stations in the radiolocation service in the band 8500–10000 Mc/s.

US58 In the band 10,000–10,500 Mc/s, pulsed emissions are prohibited, except for weather radars on board meteorological satellites in the band 10,000–10,025 Mc/s. The amateur service and the non-Government radiolocation service, which shall not cause harmful interference to the Government radiolocation service, are the only non-Government services permitted in this band. The non-Government radiolocation service is limited to survey operations using transmitters with a power not to exceed one watt into the antenna.

US60 The use of this band by non-Government services is limited to the space (telecommand) service.

US62 The use of this band by Government services is limited to the space research service.

US69 In the band 31.8–33.4 Gc/s, ground-based radionavigation aids are not permitted except where they operate in co-operation with airborne or shipborne radionavigation devices.

US70 The meteorological aids service allocation in the band 400.05–406 Mc/s does not preclude the operation therein of associated ground transmitters.

US72 In the band 24.25–25.25 Gc/s, Government radiolocation devices (ASDE) are permitted between 24.25–24.47 Gc/s on a shared basis.

US74 The radio astronomy service shall be protected from extra-band radiation only to the extent that such radiation exceeds the level which would be present if the offending station were operating in compliance with the technical standards or criteria applicable to the service in which it operates.

US78 In the band 1435–1525 Mc/s, the frequencies between 1435 and 1485 Mc/s will be assigned primarily for the flight testing of manned aircraft, or major components thereof; the frequencies between 1485 and 1525 Mc/s will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Included as permissible usage for aeronautical telemetering stations in the band 1435–1525 Mc/s is telemetry associated with launching and re-entry into the earth's atmosphere, as well as any incidental orbiting prior to re-entry, of manned or unmanned objects undergoing flight tests.

US81 The band 38–38.16 Mc/s may be used by both Government and non-Government radio astronomy observatories. No new assignments are to be made and Government stations in the band 38–38.16 Mc/s will be moved to other bands on a case-by-case basis, as required, to protect radio astronomy observations from harmful interference. As an exception, however, low-powered military transportable and mobile stations used for tactical and training purposes will continue to use the band. To the extent practicable, the latter operations will be adjusted to relieve such interference as may be caused to radio astronomy observations. In the event of harmful interference from such local operations, radio astronomy observatories may contact local military commands directly, with a view to effecting relief. A list of military commands, areas of coordination, and points of contact for purposes of relieving interference may be obtained upon request from the Office of Chief Engineer, Federal Communications Commission, Washington, D.C., 20554.

i. The following new US footnotes are added to the Table in § 2.106 in proper numerical sequence:

US83 Non-Government use of this band is limited to the following: 9995–10003 kc/s, radio astronomy service; 10003–10005 kc/s, radio astronomy and space research services.

US84 The non-Government use of this band is limited to the space research service.

US85 In the bands 117.975–123.075 and 123.575–136 Mc/s, the use and development, for the aeronautical mobile (R) service, of systems using space communication techniques may be authorized but limited initially to satellite relay stations of the aeronautical mobile (R) service.

US86 The frequencies 148.25 Mc/s ±15 kc/s and 154.2±.5 kc/s may be used by Government and non-Government stations for space telecommand at specific locations, subject to such conditions as may be imposed on a case-by-case basis. With respect to 154.2 Mc/s, the commands are to be limited to short duration of the order of three seconds ("Address and execute" commands). Further, on a case-by-case basis and solely to avoid harmful interference to non-Government stations in the land mobile service, a comparable replacement frequency assignment will be made available below 150.8 Mc/s, if required.

US87 The frequency 450 Mc/s, with maximum emission bandwidth of 500 kc/s, may be used by Government and non-Government stations for space telecommand at specific locations, subject to such conditions as may be applied on a case-by-case basis.

US88 Stations in the broadcasting service will not be authorized in the band 608–614 Mc/s prior to January 1, 1974. In the interim the band is available for use by the radio astronomy service. The radio astronomy service shall be protected from extra-band radiation only to the extent that such radiation exceeds the level which would be present if the offending station were operating in compliance with the technical standards or criteria applicable to the service in which it operates.

US89 The aeronautical telemetering frequencies in the band 1525–1535 Mc/s will be assigned primarily for the flight testing of unmanned aircraft and missiles or major components thereof. Included as permissible usage for aeronautical telemetering stations in the band 1525–1535 Mc/s is telemetry associated with launching and re-entry into the earth's atmosphere, as well as any incidental orbiting prior to re-entry, of manned or unmanned objects undergoing flight tests.

US90 The band 2110–2120 Mc/s may be used by Government and non-Government stations for space telecommand at specific locations in conjunction with spacecraft engaged in deep space research, subject to such conditions as may be applied on a case-by-case basis.

US91 The ultimate disposition of this band in the communication-satellite service, as between Government and non-Government, is deferred. In the meanwhile the non-Government may exploit the 4 and 6 Gc/s bands and the Government may exploit the 7 and 8 Gc/s bands for communication-satellite service systems intended to become operational. Any modification of this policy will be discussed and agreed in the FCC/DTM(IRAC) mechanism prior to the filing of applications with the IRAC for frequency assignments which are not in accordance with the foregoing.

US92 In the band 7300–7750 Mc/s, the meteorological-satellite service may use a band up to 100 Mc/s in width. This 100 Mc/s band may also be used for the transmission of tracking and telemetering signals associated with meteorological-satellite space stations operating in the same band.

US94 The bands 30.005–30.015 Mc/s and 39.986–40.02 Mc/s are also allocated, on a secondary basis, to the space research service for space station-to-earth station transmissions only.

US98 The frequency 243 Mc/s is the frequency in this band for use by Government and non-Government survival craft stations and equipment used for survival purposes.

US99 In the band 1660–1700 Mc/s, the meteorological aids service (radiosonde) will

to the maximum extent practicable confine its operations above the frequency 1670 Mc/s. Whenever it is necessary to operate radiosondes in the band 1660–1670 Mc/s within the United States, the radio astronomers will be notified in a timely manner.

US100 In the Additional Protocol to the Final Acts of the Space EARC, Geneva, 1963, a declaration on behalf of the USA states that the USA cannot accept any obligation to observe the exceptions claimed by Cuba in those footnotes to the Table of Frequency Allocations which were adopted by the EARC and which specifically name Cuba.

US101 In the band 1660–1670 Mc/s, the radio astronomy service must accept such interference as may be received from the meteorological-satellite service.

[F.R. Doc. 65-5529; Filed, May 27, 1965; 8:45 a.m.]

[Docket 15723; FCC 65-417]

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

PART 25—SATELLITE COMMUNICATIONS

Shared Use of Certain Frequency Bands

Shared Use of Certain Frequency Bands Mobile and Communication-Satellite Services

1. The Commission adopted a Notice of Proposed Rule Making in the above-entitled matter on December 2, 1964, which was published in the FEDERAL REGISTER on December 16, 1964 (29 F.R. 17840). Interested parties were invited to file comments on or before January 15, 1965, and reply comments on or before January 25, 1965. The time for filing reply comments was subsequently extended to February 4, and was then further extended to February 15, 1965. The orders extending the reply comment period were published in the FEDERAL REGISTER on January 28, 1965 (30 F.R. 892), and February 10, 1965 (30 F.R. 1878), respectively.

2. Comments were filed by American Telephone & Telegraph Co. (A.T. & T.), Communications Satellite Corp. (COMSAT), Hawaiian Telephone Co. (Hawaiian), ITT Federal Laboratories (ITT), and Western Union Telegraph Co. (Western Union). Reply comments subsequently were filed by A.T. & T., COMSAT, and Hawaiian.

3. A.T. & T. favored strict sharing criteria and technical limitations that would protect the operations of terrestrial systems. COMSAT opposed any limitations upon space service operations more restrictive than those posed by the Final Acts of the Space Conference, Geneva, 1963, on the grounds that they would inhibit flexibility in the communication-satellite service. Hawaiian favored generally the Commission's proposal but suggested several detailed changes with respect to coordination between the sharing services. ITT limited its comments to suggested changes in the application of propagation curves intended for the calculation of coordination distances. Substantive comments by Western Union were directed only to the desirability of early coordination between space system planners and terrestrial system planners, up to 2 years in advance of the planned usage.

4. Among other things, the Commission's Notice solicited comments specifically with respect to two possible departures from technical limits set forth in the International Radio Regulations, insofar as they apply to the frequency band 5925–6425 Mc/s. First, it was suggested that 5° rather than the internationally agreed 3° might be adopted nationally as the minimum permissible antenna elevation angle for transmissions from earth stations. Second, it was suggested that +45dbW per 4 kc/s might be adopted nationally as the maximum effective radiated power in the horizontal plane from an earth station, rather than the internationally agreed +55dbW/4 kc/s. Comments were submitted on each of these points by all but ITT. Western Union expressed the view that some angle greater than 3° and some value less than +55dbW would be desirable but, absent supporting experimental data, was not prepared to recommend 5° or +45dbW or any other specific figures.

5. A.T. & T. contends that adoption of a 5° minimum angle of elevation, in both the 3700–4200 and 5925–6425 Mc/s bands, is realistic inasmuch as it will reduce the required coordination distance between earth stations and terrestrial stations without restricting unduly the operation of a communication-satellite system. A.T. & T. concedes that it would be desirable to specify as low an angle as possible, from a satellite system operational standpoint, but points out that the practical minimum angle is a function of the quality and reliability of transmission from the satellite to the earth station. Since a common antenna is generally used for both transmitting and receiving at an earth station, the minimum angle for reception might be said to dictate the minimum angle for transmission also. Additionally, however, A.T. & T. states that the lowest usable angle from a transmission standpoint depends upon the atmospheric noise introduced into the system and the signal fading that occurs at low angles of propagation through the atmosphere. Test results at the earth station site at Andover, Maine were cited in support of this argument wherein it was stated that a 50° K noise temperature was obtained between 5° and 6° for a 360° azimuthal scan of the antenna. A sharp increase in noise temperature (from 70° K to 225° K) was noted between 3.8 and 3.0° for a 360° scan of the antenna. Another test at Andover was stated to indicate that reliable transmission via Telstar was not obtained until an elevation angle of about 4.5° was reached and that severe signal fading was experienced at angles below that value. It was also argued by A.T. & T. that the higher minimum angle could reduce the coordination distance by as much as 25 percent and the area encompassed by the coordination distance contour by as much as 72 percent.

6. Comsat opposed the imposition of a 5° minimum angle, both in its comments and in its reply comments, for a number of reasons. As an example, their calculations indicate that a minimum of 5° as opposed to 3° would increase outage time by 35 percent for a given number of satellites in a medium altitude random system, or, alternately, would require the usage of 15 percent more satellites to maintain a given minimum outage time. Additionally, Comsat argues, such an increase might affect adversely the earth station's ability to establish long link communication, to communicate with countries using small earth station facilities or having monsoon rain conditions, and to use satellites which have drifted from their optimal position. With respect to reported A.T. & T. test results at Andover, Comsat expressed the opinion that the topography was such as to preclude efficient operation below 4° but that such a limitation is not inherent to all earth stations. Cited as locations where such limitations do not apply were Goonhilly Downs (England), Point Mugu (Calif.), and Raisting (Germany), where elevation angles of less than 3° are usable. Comsat makes reference to a report of November 1962, on Goonhilly Downs, for example, which indicated that no interference was detected when the antenna was rotated through 360° at 2° elevation and which indicated further that "* * * once the beacon signal has been firmly acquired, usually by the time that satellite elevation is some 1½°, the communication channel is effective and tests or demonstrations can proceed."

7. The reply comments of A.T. & T. agree with Comsat's analysis of the outage time of a random orbit satellite system as a function of minimum elevation angle, but contend that the cost of providing the extra margins in the system to ensure reliable operation at 3° might be of such magnitude as to offset any possible operational advantages.

8. Hawaiian states that there is insufficient information available to specify the minimum angle of operation, particularly without specifying the limits of side lobe radiation. Hawaiian sees no merit in limiting the elevation angle when the earth station antenna is directed seaward and away from land areas since this could decrease unnecessarily the usable time-in-view of nonsynchronous satellites and could, in some instances, unnecessarily prevent communication between a given earth station and a synchronous satellite. To cope with these matters, Hawaiian would amend Parts 21 and 25 as appropriate to provide additionally: (1) That the minimum permissible angle of elevation be determined by tests to verify theoretical calculations and that such angles be specified on the earth station license as a function of azimuth; and (2) that applicants in an area wherein coordination might be necessary be required to submit antenna radiation patterns with their applications.

9. Hawaiian offered no comment on the choice of +45dbW in lieu of +55dbW in any 4 kc/s band as an upper limit on permissible mean ERP in the horizontal plane. It is implicit in Hawaiian's comments that they are less concerned with this factor than with a workable sharing arrangement between terrestrial systems

in Hawaii and a communication-satellite system. Because of the limited available land mass in the island complex, it is probable that a reduction in permissible ERP as proposed would do little, if anything, to ease the sharing problem. Hawaiian has indicated it might be necessary to request special allocation relief in Hawaii under Part 2 and consequential changes in Part 21 to accommodate some of its existing and planned operations that would otherwise operate in the band 5925–6425 Mc/s. A determination of its needs in this regard can not be made until a site for a communication-satellite earth station has been decided upon in Hawaii.

10. A.T. & T. would prefer a permissible level of maximum ERP of something less than even the +45dbW suggested as a possible limit in the Commission's Notice, in order to minimize the total area within the coordination distance contour about an earth station site, but nonetheless, supports +45dbW as a compromise limit. A.T. & T. argues that areas that are unnecessarily large can prove expensive to both of the sharing services. If common carriers in the terrestrial service must avoid large areas to avoid interference to or from earth stations, other facilities must be made available to render service to the public within those areas at a cost which may exceed that of radio relay facilities. On the other hand, earth stations may find it necessary to establish in uneconomical locations to avoid existing radio relay stations. If so, construction and operating costs could be increased appreciably by the need for service facilities such as access roads, power and housing.

11. Comsat opposes reducing the maximum permissible ERP in the 6 Gc/s band from +55dbW to 45dbW/4 kc/s on the grounds that it would restrict space planning flexibility but would not lessen the possibility of interference to existing licensees or reduce substantially the coordination area. Comsat agrees that the reduction would facilitate the coordination process but states that "* * * the minimum coordination area is determined by the coordination area for the 4 Gc/s receiving band which is calculated on the basis of 55dbW, the maximum permissible ERP for terrestrial services (from CCIR Rec. 406)." Therefore, in their view, there is no justification for reducing earth station ERP below a value which would result in a coordination area corresponding to that for the 4 Gc/s band. Appendix 1 to Comsat's comments constituted the contribution of its representatives in the work of the U.S. Committee for CCIR Study Groups IV and IX, preparatory to the recently concluded International Interim Meeting of those groups in Monaco. That document, as interpreted by Comsat, demonstrated "that in light of the present state of the art, effective satellite-communications could require a maximum ERP of at least 52dbW/4 kc/s in order to permit reasonable flexibility. In future years, new satellite techniques and unique traffic requirements could require even a higher maximum ERP."

12. The reply comments of A.T. & T. directed to Comsat's initial comments on the 45 versus 55dbW question point out that: (1) Appendix 1 referred to above was not adopted by the U.S. Study Groups IV and IX; (2) the terrestrial transmitter power limit of 55dbW recommended by CCIR and adopted by the Space EARC is intended to protect satellite-borne receivers from harmful interference from terrestrial stations sharing in the earth-to-satellite bands; (3) there is no power limitation with respect to terrestrial transmitting stations in the satellite-to-earth bands (e.g., 3700–4200 Mc/s); and (4) in general, the coordination distance from a transmitting earth station exceeds that from its associated receiving earth station. A.T. & T. noted that as the permissible radiation in the horizontal plane increases, the coordination distance for such an earth station also increases. A.T. & T. also noted that the internationally agreed limit of +55dbW in the horizontal plane for transmitting earth stations was predicated largely on the decisions of the CCIR and the Space EARC to set a limit that would not inhibit unduly the use of earth stations operating in a "passive" communication-satellite system, where power requirements are appreciably higher than for an "active" system.

13. In addition to the specific points covered above, A.T. & T. suggested a number of changes to the Commission's proposed rules. Section 21.706(c) sets forth the showing to be made by the applicant for a terrestrial station to operate within the coordination distance contour of an existing earth station. The Commission has proposed that all such coordination distance contour maps be on file for public inspection, in the offices of the Commission's Common Carrier Bureau in Washington. A.T. & T. is of the view that such limited availability of information relating to areas involved in the coordination process will place an unnecessary burden on all applicants filing under Part 21. On the assumption that the total number of earth stations in the communication-satellite service will be small, A.T. & T. suggests that Part 21 contain a general description of the earth station sites, including a radius equal to the maximum coordination distance involved, so that a prospective applicant under Part 21 may determine readily whether a coordination problem exists. Should it appear that the applicant's proposed operation may lie within the contour, the rules should provide means by which he could have access to copies of the actual contour maps for detailed analysis of the problem. In A.T. & T.'s view, the earth station operator, if required to furnish such copies on request, will thus become aware of additional terrestrial systems to be considered for coordination purposes if there are plans for future expansion of the earth station facility. A.T. & T. would also amend the rules to state explicitly what must be done if the coordination process indicates that inter-service interference is likely to occur. In any event, they propose that arrangements be made for direct negotiations between operators of existing and planned stations.

14. The reply comments of Hawaiian support the above views of A.T. & T. insofar as they are concerned with a more positive coordination procedure. In particular, Hawaiian believes that where a new station is proposed within coordination distance of an existing station, the new station applicant should send notification directly to existing frequency-sharing licensees who are involved.

15. Comsat supported the Commission's coordination procedures as proposed and did not agree that the changes suggested by A.T. & T. are required or desired. Comsat objected specifically to the inclusion in Part 21 of a general description of the coordination areas of existing earth stations. It objected also to any requirement that maps be furnished to terrestrial station applicants by the Commission or the earth station licensee, on request. These objections are based on Comsat's belief that: (1) Commission-proposed procedures are adequate; (2) Part 21 would need amendment with the addition of each new earth station in the 4 and 6 Gc/s bands; and (3) an economic burden would be imposed upon the Commission or existing earth station licensees if required to make available an appreciable number of coordination distance contour charts. Comsat also took the position that the Commission's proposed rules in Parts 21 and 25 are detailed adequately to resolve potential interference problems arising during the coordination process. They did not agree that direct negotiations should be encouraged between existing and proposed licensees in the opposing services on the grounds that such an arrangement would place the administration of the Commission's rules in the hands of interested parties rather than those of the Commission.

16. Of the several interested parties commenting in this proceeding, only A.T. & T. made mention of the band 2110–2120 Mc/s which basically is part of a common carrier fixed band, but which, by virtue of a footnote to the Table of Frequency Allocations, is also available for deep space research. A.T. & T. recommended that normal users of the band be made aware of this shared use by an appropriate amendment to § 21.701(g) and also that § 21.706 be amended to reflect the need for coordination in the band 2110–2120 Mc/s.

17. A.T. & T. comments also invited attention to paragraph 14 of the Commission's Notice of Proposed Rule Making in Docket No. 15722, wherein it was stated that frequency bands allocated specifically to the "space service" are available to all space radiocommunication services, i.e., communication-satellite service, meteorological-satellite service, radio-navigation-satellite service and space research service. In keeping with that philosophy, A.T. & T. recommended that § 25.202 (b), (c) and (d) be modified as appropriate to show the availability of 1427–1429 Mc/s for space telecommand and 1525–1540 Mc/s for space telemetering and tracking.

18. A.T. & T. noted also that provision had not been made in the Commission's Notice for dealing with conflicting applications filed by prospective users. Appropriate hearing procedures would appear necessary, both in the case of conflicting prospective earth station applicants under Part 25 and in the case

of conflict between prospective applicants under Part 21 and Part 25. In this same vein, A.T. & T., Hawaiian and Western Union support a philosophy within the coordination process whereby recognition would be given to systems in the planning stage as well as to systems in being or for which construction was imminent. In support of this argument, A.T. & T. contends that in many cases the economies of a microwave system or an earth station can be realized fully only if the system or station can be exploited to its full capacity. In other words, a large percentage of the initial cost of either goes toward development of the initial station locations, buildings, antenna structures and power facilities. Expansion can be effected in most instances by merely adding relatively inexpensive radio equipment. It was argued, therefore, that an applicant should have some reasonable amount of assurance that future necessary expansion will not be precluded by the unavailability of frequency space. A.T. & T. states this could be accomplished, in part, by permitting under Part 25, as is now permitted under Part 21, an opportunity for interested parties to raise objections to proposals which may cause interference or which for other reasons would not appear to be in the public interest.

19. Comsat did not subscribe to recognition, in the coordination process, of systems which were purely in the planning stage. They expressed the view that it was sufficient to take into account only existing facilities and those for which construction permits had been granted.

20. As a follow-on to its earlier arguments for expanded or modified coordination procedures, A.T. & T. also suggested adoption of a common method for computing potential interference between competing services which would include the possibility of (a) propagation by forward scatter via both the main beam and the horizontal component and (b) propagation by diffraction, as well as direct line-of-sight propagation. Also in this regard, A.T. & T. suggests that even with a maximum permissible ERP of 45dbW/4 kc/s in the horizontal plane and a minimum antenna elevation angle of 5°, limits should be placed on the total power radiated by the earth station's main beam. They stated that their studies showed that interference from the main beam could be the controlling source of interference to terrestrial systems. A.T. & T. suggested a total effective power of one million kilowatts, or 90dbW, as a value "which is more than adequate for the economical operation of any reasonable satellite system yet proposed." This would be effected by adding to § 25.204 (a) a limitation specifying that the mean ERP in the main beam of the earth station antenna shall not exceed 71dbW in any 4 kc/s band. These overall views derive from the following quotation from the A.T. & T. comments.

A study of the Space EARC (Geneva, 1963) method of computing coordination distance (paragraph 25.251) indicates that the basic transmission loss via the path in the horizontal plane may not always be the controlling criterion for determining the coordination distance between an earth station and a terrestrial station. In fact, it appears that it is the propagation path between the main beam of the two antennas at low elevation angles of the earth station antenna that will usually determine the coordination distance for earth station configurations most likely to be encountered. It is concluded from this study that Section 25.204 paragraph (a) does not adequately specify or limit earth station power for coordination purposes. We recommend that the limit on power radiated from an earth station be specified in terms of (1) power in the horizontal plane, and (2) power in the main beam to provide a more meaningful calculation of the coordination distance.

21. The remaining A.T. & T. comments were devoted to:

(1) Showing that with a narrow beam antenna with its beam elevated above the horizon, the controlling transmission path may be via the common volume occupied by the two antenna beams rather than by the horizon ray; and

(2) The consequential additions and changes considered necessary to § 25.251, if one accepted the premise in (1) above, including the internationally agreed tables and charts associated therewith.

22. The comments of ITT were directed solely to this same § 25.251. These questioned the validity of using the curves contained in the Commission's proposal and suggested changes in their application to the calculation of coordination distances.

23. Comsat's reply comments relative to A.T. & T.'s proposal to impose a ceiling of +90dbW on the total ERP in the main beam of an earth station antenna did not support the proposal. Comsat pointed out: (1) The +90dbW limit is less than the powers of existing earth stations which will participate in the HS-303 experimental/commercial communication-satellite system now contemplated or the powers necessary for systems of various types proposed for use in a global system; (2) the problem of main beam interference can be resolved only through analysis of data from a series of measurement programs; (3) it is questionable whether the CCIR propagation data cited by A.T. & T. from Report 244 of Vol. II of the Xth Plenary Assembly, Geneva, 1963, is applicable to an elevated beam situation; (4) the CCIR has not adopted a coordination procedure based on elevated main beam considerations; and (5) the 19db spreading factor (90−71=19db) considered in the A.T. & T. proposal relates only to a specific FDM-FM system occupying a band of approximately 300 kc/s, which may not be adequate for other modulation methods.

24. The Commission's conclusions with respect to the several arguments presented above are contained in the ensuing paragraphs, in the same order in which they were presented earlier. Before proceeding to specific items, however, it appears necessary to re-emphasize two general premises upon which our conclusions are based. First, coordination distance contours define not the areas within which destructive interference will necessarily be caused or experienced but rather the areas within which some existing licensees might cause or experience interference and within which all prospective licensees should exercise particular caution in the engineering of new stations or systems. Second, the Space EARC (Geneva, 1963) adopted a number of amendments and additions to the international Radio Regulations previously adopted by the Administrative Radio Conference (Geneva, 1959). Among these was No. 492A, which is quoted in part, as follows:

492A § 3A. (1) Before an administration notifies to the Board, or brings into use any frequency assignment to a station in the fixed or mobile service, whether for transmitting or receiving, in a particular band allocated with equal rights to the space service and the fixed or mobile service in the frequency spectrum between one and ten Gc/s, it shall effect coordination of the assignment with any other administration which has previously effected coordination under the provisions of No. 639AD, for the establishment of an earth station, if the proposed station in the fixed or mobile service is to be located within the coordination distance of the earth station, and the necessary bandwidths of emission of the station concerned in the space service on the one hand, and the station concerned in the fixed or mobile service on the other, are separated by less than six Mc/s * * *

The Commission's proposals in this proceeding deliberately omitted reference to a minimum separation (such as the six Mc/s above) between the bandwidths of emission of stations involved in the coordination process. Proposed § 21.706 states in part, for example:

* * * If the proposed station is to be operated in the band 3700-4200 Mc/s, and lies within the coordination distance contour of a receiving earth station, the application shall be accompanied by a statement showing * * * Conversely, if the proposed station is to be operated in the band 5925-6425 Mc/s, and lies within the coordination distance contour of a transmitting earth station * * *

Similarly, § 25.203(c) speaks of "the frequency band in question", meaning 3700-4200 Mc/s or 5925-6425 Mc/s as appropriate.

25. In the Commission's opinion, it would not be in the public interest, for example, to permit the establishment of an earth station in the communication-satellite service in an area where frequency congestion due to existing terrestrial systems in the same band was such that little more than the initial frequency requirements of such an earth station could be accommodated. Similarly, it would not appear to be in the public interest to permit terrestrial systems to be installed in the same band in the same area as an existing earth station without evaluating carefully the possible future requirements of each, as well as the initial potential mutual interference problem. In other words, the Commission intends to proceed cautiously in the implementation of frequency sharing between space systems and terrestrial systems until a better appreciation of the overall subject can be attained through experience.

Minimum Angle of Elevation

26. There is considerable merit to many of the comments from each of the parties relating to the minimum angle

of elevation. The problem becomes one of weighing all the arguments and arriving at an equitable arrangement for each of the sharing services. Because of the relatively high density of terrestrial systems throughout the United States in both the 3700–4200 and 5925–6425 Mc/s bands, it is important to limit the size of areas within coordination distance of earth stations as much as possible, consistent with the need to maintain flexibility in the establishment of a communication-satellite system. This end can be achieved by adoption of a variation on the Commission's proposal to set 5° as a minimum permissible elevation angle instead of the internationally-agreed 3°. If the comments of Comsat referred to in paragraph 6 above are considered out of context, such a move might appear particularly damaging to the communication-satellite service. However, those figures relate only to a given orbital configuration and a given number of satellites and the 35 percent increase in outage time represents the difference between an outage probability of 0.0026 for a 3° minimum angle and an outage probability of 0.0035 for a 5° minimum angle. This increase of 0.0009 in outage time must be evaluated in the light of a reduction in the coordination area on the order of 72 percent, as referred to by A.T. & T. in paragraph 5. As pointed out by Comsat and Hawaiian, however, there is no merit in imposing elevation limits on paths which are directed seaward and away from land masses. This situation can be treated by adopting, in part, the suggestions made by Hawaiian wherein the minimum angle can be specified as a function of azimuth on the earth station license. Also in response to Hawaiian's suggestion, the rules will be amended to require that applications filed for earth station licenses be accompanied by appropriate earth station antenna patterns. With respect to the angle of elevation, 5° is being adopted as the normal minimum angle. However, upon special showing of need by the applicant, the Commission will give consideration to the use of angles between 3 and 5 degrees for over-land paths, and to lower angles for over-water paths, as a function of azimuth in each case.

EFFECTIVE RADIATED POWER IN THE HORIZONTAL PLANE

27. As in the case of the minimum angle of elevation, we are concerned with the problem of minimizing the area of potential interference about an earth station, consistent with the need to maintain flexibility in the establishment of a communication-satellite system. On the basis of its own calculations, the arguments of A.T. & T. in paragraphs 10 and 12 above, and the absence of persuasive arguments to the contrary by Comsat, the Commission has concluded it would be in the public interest to specify in the rules that the mean effective radiated power employed by an earth station in the band 5925–6425 Mc/s shall not exceed +45dbW per 4 kc/s of bandwidth in the horizontal plane.

AVAILABILITY OF COORDINATION DISTANCE INFORMATION

28. The Commission is persuaded that its proposal to maintain a file of earth station coordination distance contour maps in Washington, D.C., is not adequate, in and of itself, to meet the planning needs of terrestrial system operators whose home offices are well removed from Washington, D.C. Accordingly, future public notices of earth station applications accepted for filing will contain sufficient detailed information to permit interested parties to make at least preliminary determinations as to the probability of harmful interference. This information, however, will be helpful only to licensees of systems in being or prospective applicants well advanced in their planning. Therefore, for the benefit of future licensees, Part 21 will be amended to list general information relative to earth stations in the bands 3700–4200 and 5925–6425 Mc/s. Additionally, upon request, the Commission will undertake to supply licensees or prospective licensees of point-to-point microwave stations with detailed information relative to existing or proposed earth stations if, in the Commission's opinion, such terrestrial stations lie within coordination distance of the earth station in question.

29. The Commission recognizes that there is frequently much to be gained by direct negotiation between interested parties and does not agree with Comsat that such negotiations would place administration of the Commission's rules in the hands of such parties rather than with the Commission. However, such negotiations should be permissive rather than mandatory and as such need not be dealt with in the rules. Adequate procedures will be specified in the rules for the resolution of inter-service interference problems.

COORDINATION IN THE BAND 2110–2120 Mc/s

30. The Commission believes the public interest would be served by adopting the suggestion of A.T. & T. set forth in paragraph 16 above and § 21.701(g) is being amended to indicate that frequencies in the band 2110–2120 Mc/s may be made available on a case-by-case basis for telecommand transmissions by space research earth stations engaged in deep space research. Additionally, § 21.706 is being amended to reflect the need for coordination in that band.

FREQUENCY BANDS FOR TELECOMMAND, TELEMETERING AND TRACKING

31. Although the Commission is not aware of any plans by non-Government entities to use the band 1427–1429 Mc/s for space telecommand or the band 1525–1540 Mc/s for space telemetering and tracking in the communication-satellite service, the bands are available internationally for those purposes. The Commission agrees with A.T. & T. that their availability should be reflected in the rules and § 25.202 (b), (c), and (d) have been modified accordingly.

HEARING PROCEDURES FOR CONFLICTING APPLICATIONS

32. As reflected in paragraph 18 above, the Commission's proposal in this proceeding did not specify hearing procedures for conflicting applications within Part 25 for the reason that the policy and procedures relating to earth station ownership and operation are under consideration by the Commission in a separate proceeding, to wit: Notice of Proposed Rule Making or Formulation of General Policy, Docket 15735. Therefore procedures for hearings and the filing of applications will be the subject of separate proceedings and are not treated in this docket. However, Part 21 has been amended to ensure inclusion of the inter-service problem since that Part is written in very specific terms with respect to hearing procedures. Additionally, because of the long lead-time involved in the planning, design and construction of earth station facilities and the requirement for close coordination in developing a workable pattern of inter-service sharing, the Commission will give consideration to long-range planning by the contestants in resolving inter-service conflicts. Part 21 has been amended to reflect this point also. Additionally, as stated in the amended § 21.26(b) herein, the Commission will observe a policy of giving consideration to planned expansion of existing stations under Parts 21 and 25 in the shared bands 3700–4200 and 5925–6425 Mc/s.

CALCULATION OF COORDINATION DISTANCE

33. Paragraphs 20, 21, and 22 set forth proposals by A.T. & T. and ITT for substantive changes in the method of calculating coordination distance and, on the part of A.T. & T., a proposal to impose limits on the total effective radiated power in the main beam of earth station antennas. Without going into the merits of the suggestions for changing the method of calculating coordination distances we are rejecting them at this time for the practical reason that the United States is committed internationally through its treaty obligations to calculating coordination distance in the manner set forth in § 25.251. Admittedly, we could adopt different procedures for purely national application but in any instance where an earth station was within coordination distance of a national border, as calculated by internationally-agreed criteria, we would be duty bound to comply with the international procedure. We are not persuaded that there is merit to adopting two differing sets of criteria in this instance. Additionally, the coordination distance calculation procedure is the joint work of experts in the space and terrestrial microwave fields participating in the work of the International Radio Consultative Committee (CCIR) of the International Telecommunication Union (ITU) which adopted the procedure at its Xth Plenary Assembly, Geneva, 1963 in Report 209 and Recommendation 359. The procedure was adopted subsequently for inclusion in the International Radio

Regulations by the Space EARC, Geneva, October-November 1963. The U.S. Committee for Study Group IV, made up of Government and industry representatives, re-examined the content of Report 209 and Recommendation 359 in preparing for the Interim Meeting of CCIR Study Group IV and Study Group IX recently concluded (February-March) in Monaco and recommended no change in the procedure. To our knowledge, no experimental data have been collected which would warrant a change.

34. For the reason cited, and in light of the arguments by COMSAT in paragraph 23 above, we are rejecting the proposals to modify the method of calculating coordination distance and the proposal to impose a ceiling on the total ERP in the main beam of earth station antennas. These matters will be reviewed in the future in the light of experimental and operational data not now available to determine if changes are warranted.

35. In view of the foregoing: *It is ordered*, Pursuant to the authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, that effective July 1, 1965, Parts 21 and 25 of the Commission's Rules are amended as set forth in the Appendices hereto.

36. *It is further ordered*, That the proceedings in Docket No. 15723 are hereby terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: May 19, 1965.

Released: May 20, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Part 21 of the Commission's rules is amended as follows:

1. Section 21.1 is amended by adding the following new definitions in the proper alphabetical sequence:

§ 21.1 Definitions.

* * * * *

Coordination distance. For the purpose of this Part, the expression "coordination distance" means the distance from an earth station, within which there is a possibility of the use of a given transmitting frequency at this earth station causing harmful interference to stations in the fixed or mobile service, sharing the same band, or of the use of a given frequency for reception at this earth station receiving harmful interference from such stations in the fixed or mobile service.

* * * * *

Earth station. A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

* * * * *

Fixed earth station. An earth station intended to be used at a specified fixed point.

* * * * *

Mobile earth station. An earth station intended to be used while in motion or during halts at unspecified points.

* * * * *

2. Section 21.26(b) is amended to read as follows:

§ 21.26 Grants without a hearing.

* * * * *

(b) In making its determinations pursuant to the provisions of paragraph (a) of this section, the Commission will not consider any other application, or any other application amended so as to constitute a major change therein (as defined in § 21.33), as being mutually exclusive with the application under consideration unless such other application was substantially complete and filed with the Commission by the close of business one business day preceding the day on which the Commission takes action with respect to the application under consideration. An application filed after the date specified herein will be disposed of in accordance with the provisions of § 21.24(d). As an exception, however, in dealing with the frequency bands 3700–4200 and 5925–6425 Mc/s, which are shared on a co-equal, primary basis by the Point-to-Point Microwave Radio Service under this part and the Communication-Satellite Service under Part 25, the Commission may consider planned future expansion of existing communication-satellite earth stations as being mutually exclusive with the application under consideration if brought to the attention of the Commission by the close of business one business day preceding the day on which the Commission takes action with respect to the application under consideration. To qualify for such mutual consideration the earth station must lie within coordination distance of the site of the point-to-point station in question and the earth station licensee must be able to document his planned expansion to the satisfaction of the Commission. Reciprocal treatment shall be afforded stations in the Point-to-Point Microwave Radio Service in Part 25 of this chapter.

* * * * *

3. Section 21.107(b) is amended to read as follows:

§ 21.107 Transmitter power.

* * * * *

(b) The rated power output of a transmitter employed in these radio services shall not exceed the values shown in the following tabulation:

Frequency range:	*Rated power output*
Below 30 Mc/s	50 watts.
30 to 50 Mc/s	350 watts.
50 to 76 Mc/s	50 watts.
76 to 500 Mc/s	250 watts.
500 to 10,000 Mc/s	100 watts.[1]
Above 10,000 Mc/s	Unlimited.

[1] As an exception, in the band 5925–6425 Mc/s, the power delivered by a transmitter to the antenna of a station in the fixed service shall not exceed +55 dbw. These limitations are necessary to minimize the probability of harmful interference to reception in this band on board communication-satellite space stations.

* * * * *

4. In § 21.204, the Note is revised to read as follows:

§ 21.204 FCC publications required for reference.

* * * * *

NOTE: It is suggested that the following additional documents be obtained from the Government Printing Office and maintained for reference:

(1) Communications Act of 1934, as amended.

(2) Part 1 of this chapter, Practice and Procedure.

(3) Part 2 of this chapter, Frequency Allocations and Radio Treaty Matters; General Rules and Regulations.

(4) Part 13 of this chapter, Commercial Radio Operators.

(5) Part 17 of this chapter, Construction, Marking, and Lighting of Antenna Structures.

(6) Part 25 of this chapter, Satellite Communications.

(7) Part 42 of this chapter, Preservation of Records of Communication Common Carriers.

(8) Part 61 of this chapter, Tariffs.

(9) Part 63 of this chapter, Extension of Lines and Discontinuance of Service by Carriers.

5. Section 21.701(a) and 21.701(g) are amended to read as follows:

§ 21.701 Frequencies.

(a)(1) The following frequency bands are available for assignment to radio stations in this service on a shared basis with stations in the Communication-Satellite Service and the Local Television Transmission Service:

3700–4200 Mc/s
5925–6425 Mc/s [1]

[1] This band is not available for assignment to mobile earth stations.

(2) The following frequency band is available for assignment to radio stations in this service on a shared basis with the Local Television Transmission Service:

10700–11700 Mc/s

* * * * *

(g) On a shared basis with other common carrier fixed, international control and operational fixed radio services, frequencies in the band 2110–2200 Mc/s are available for radio stations in this service. Television transmission in this band is not authorized. Additionally, frequencies in the band 2110–2120 Mc/s may be authorized on a case-by-case basis to Government or non-Government space research earth stations for telecommand purposes in connection with deep space research.

* * * * *

6. Sections 21.706 (c) and (d) are added to read as follows:

§ 21.706 Supplementary showing required with applications.

* * * * *

(c) Part 25 of this chapter sets forth the procedure for calculating "coordina-

tion distance" in the bands shared on an equal basis by this service and the Communication-Satellite Service. This is the distance: (1) Within which an earth station transmitter might cause harmful interference to stations in this service; and (2) within which stations in this service might cause harmful interference to reception at earth stations. By international agreement, if the transmitting or receiving coordination distance contours drawn about a proposed earth station of one country overlap the boundary of another country, the first country is required to provide the second with maps showing the transmitting and receiving contours to determine if harmful interference might be caused by or to the proposed earth station. Once agreement is reached, neither country will alter its station assignment pattern in the area concerned, in a manner capable of degrading the agreed usage of the other country without further consultation with that country. Similarly, pursuant to Part 25, licensees of earth stations in the Communication-Satellite Service are required to file with the Commission, characteristics of the antena(s) to be used, and maps showing coordination distance contours for such earth stations for both the earth-to-satellite and satellite-to-earth bands. All such antenna characteristics and contour maps shall be kept on file for public inspection in the offices of the Commission's Common Carrier Bureau in Washington, D.C. Additionally, for purposes of determining the probability of interference, copies of these maps will be made available, upon request, to licensees or prospective licensees of terrestrial stations within coordination distance of an earth station for which general details are set forth in § 21.706(d). Therefore, each applicant filing pursuant to paragraph (a) of this section shall ascertain in advance of such filing if the location of the proposed station lies within the pertinent coordination distance contour of an earth station on file with the Commission. Since earth stations will be receiving only in the band 3700–4200 Mc/s and transmitting only in the bands 2110–2120 and 5925–6425 Mc/s, applicants will be guided accordingly. If the proposed station is to be operated in the band 3700–4200 Mc/s, and lies within the coordination distance contour of a receiving earth station, the application shall be accompanied by a statement showing that antenna directivity, power, terrain shielding and/or other mitigating factors are such that harmful interference will not be caused to reception at the earth station, on the basis of criteria set forth in Subpart C of Part 25. Conversely, if the proposed station is to be operated in the band 2110–2120 or 5925–6425 Mc/s, and lies within the coordination distance contour of a transmitting earth station, the application shall be accompanied by a similar statement showing that harmful interference will not be caused to reception at the applicant's station in this service.

(d) Earth stations listed herein operate in frequency bands which also are available to the Point-to-Point Microwave Radio Service. The figure shown in column 4 represents the maximum coordination distance calculated along any radial from the earth station, on an over-land path. It does not reflect the effects of possible terrain shielding along other radials nor the greater distance resulting from calculation for an over-water path or a mixed path. Used as the radius of a circle centered on the earth station, it will permit preliminary determination of the need for coordination in compliance with § 21.706(c). Proposed stations within the circle, and in the same frequency band, may be within coordination distance of the earth station. Applicants for such stations, upon request, will be supplied with copies of coordination distance contour maps and other pertinent technical data, to permit a detailed analysis of the interference potential.

(1) Transmitting earth stations—

Station location (1)	Geographical coordinates (2)	Band (Mc/s) (3)	Maximum coordinates district (station miles) (4)
Andover, Maine	44°37'59" N., 70°41'52" W	5925–6425	180
Goldstone, Calif	35°23'20" N., 116°50'53" W	2110–2120	375
Mill Village, Nova Scotia, Canada	44°11'24" N., 64°40'00" W	5925–6425	300

(2) Receiving earth stations—

Station location (1)	Geographical coordinates (2)	Band (Mc/s) (3)	Maximum coordinates district (station miles) (4)
Andover, Maine	44°37'59" N., 70°41'52" W	3700–4200	130

7. Section 21.708(a)(7) is added to read as follows:

§ 21.708 Notification of station operation at temporary fixed locations.

(a) * * *

(7) A notification of operations to be conducted within the coordination distance contours of a fixed earth station shall include compliance with the provisions of § 21.706(c).

* * * * *

8. Section 21.801(f) is amended to read as follows:

§ 21.801 Frequencies.

* * * * *

(f)(1) Frequencies in the following bands are available for assignment to television STL stations in this service on a shared basis with stations in the Communication-Satellite Service and the Point-to-Point Microwave Radio Service:

3700–4200 Mc/s
5925–6425 Mc/s

(2) The following frequency band is available for assignment to television STL stations in this service on a shared basis with stations in the Point-to-Point Microwave Radio Service:

10700–11700 Mc/s

9. Section 21.807(a)(5) is added to read as follows:

§ 21.807 Stations at temporary fixed locations.

(a) * * *

(5) Applications for such stations shall comply with the provisions of § 21.706(c).

* * * * *

10. A new § 21.809 is added, to read as follows:

§ 21.809 Stations affected by co-ordination distance procedures.

Each application for initial installation of a radio station in this service, or for installation of additional transmitters, or for authority to communicate with new points, shall comply with the provisions of § 21.706(c).

Part 25 of the Commission's rules is amended by adding new Subpart C, as follows:

Subpart C—Technical Standards

Sec.
25.201 Definitions.
25.202 Frequencies.
25.203 Choice of sites and frequencies.
25.204 Power limits.
25.205 Minimum angle of antenna elevation.
25.206 Station identification.
25.207 Cessation of emissions.
25.208 Power flux density limits.
25.251 Procedure for calculating coordination distance.

AUTHORITY: The provisions of this Subpart C issued under sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303.

Subpart C—Technical Standards

§ 25.201 Definitions.

Active satellite. An earth satellite carrying a station intended to transmit or re-transmit radiocommunication signals.

Communication-satellite earth station. An earth station in the communication-satellite service.

Communication-satellite service. A space service:

—between earth stations, when using active or passive satellites for the exchange of communications of the fixed or mobile service, or

—between an earth station and stations on active satellites for the exchange of communications of the mobile service, with a view to their re-transmission to or from stations in the mobile service.

Communication-satellite space station. A space station in the communication-satellite service, on an earth satellite.

Coordination distance. For the purposes of this Part, the expression "coordination distance" means the distance from an earth station, within which there is a possibility of the use of a given transmitting frequency at this earth station causing harmful interference to stations in the fixed or mobile service, sharing the same band, or of the use of a given frequency for reception at this earth station receiving harmful interference from such stations in the fixed or mobile service.

Earth station. A station in the space service located either on the earth's surface, including on board a ship, or on board an aircraft.

Fixed earth station. An earth station intended to be used at a specified fixed point.

Mobile earth station. An earth station intended to be used while in motion or during halts at unspecified points.

Passive satellite. An earth satellite intended to transmit radio communication signals by reflection.

Space service. A radiocommunication service:

—between earth stations and space stations,
—or between space stations,
—or between earth stations when the signals are re-transmitted by space stations, or transmitted by reflection from objects in space excluding reflection or scattering by the ionosphere or within the earth's atmosphere.

Space station. A station in the space service located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the earth's atmosphere.

Space telecommand. The use of radiocommunication for the transmission of signals to a space station to initiate, modify or terminate function of the equipment on a space object, including the space station.

Space telemetering. The use of telemetering for the transmission from a space station of results of measurements made in a spacecraft, including those relating to the functioning of the spacecraft.

Space tracking. Determination of the orbit, velocity or instantaneous position of an object in space by means of radiodetermination, excluding primary radar, for the purpose of following the movement of the object.

Stationary satellite. A satellite, the circular orbit of which lies in the plane of the earth's equator and which turns about the polar axis of the Earth in the same direction and with the same period as those of the earth's rotation.

Terrestrial service. Any radio service defined in this Chapter, other than a space service or the radio astronomy service.

Terrestrial station. A station in a terrestrial service.

§ 25.202 Frequencies.

(a) The following frequency bands are available for use by the communication-satellite service on a shared basis with terrestrial radio services. Precise frequencies and bandwidths of emission will be assigned on a case-by-case basis.

Satellite-to-earth	*Earth-to-satellite*
37–4200 Mc/s [1 2]	5925–6425 Mc/s [1 3]
7250–7750 Mc/s [1 2]	7900–8400 Mc/s [1 3]

[1] The ultimate disposition of these bands as between Government and non-Government services for space radiocommunication will be the subject of separate rule-making.

[2] This band may also be used for the transmission of tracking and telemetering signals associated with communication-satellite space stations operating in the same band.

[3] This band may also be used for the transmission of telecommand signals associated with communication-satellite earth stations operating in the same band.

[4] This band is not available for assignment to mobile earth stations.

(b) The following frequencies or bands of frequencies are available for space telecommand functions in conjunction with the communication-satellite service. Unless specified, precise frequencies and associated bandwidths of emission will be assigned on a case-by-case basis.

148.25 Mc/s—maximum occupied bandwidth not to exceed 30 kc/s.
154.2 Mc/s—maximum occupied bandwidth not to exceed 30 kc/s.
450.0 Mc/s—maximum occupied bandwidth not to exceed 0.5 Mc/s.
1427–1429 Mc/s.

(c) The following frequency bands are available for telemetering from communication-satellite space stations. Precise frequencies and associated bandwidths of emission will be assigned on a case-by-case basis.

136–137 Mc/s [1]
137–138 Mc/s
400.05–401 Mc/s [1]
401–402 Mc/s
1525–1540 Mc/s

[1] This band is basically a space research band and is not intended for use by operational communication-satellite systems once the desired spacecraft orbit is established.

(d) The following frequency bands are available for transmission from spacecraft for the tracking of communication-satellite space stations. Precise frequencies and associated bandwidths of emission will be assigned on a case-by-case basis.

136–137 Mc/s [1]
137–138 Mc/s
400.05–401 Mc/s [1]
1525–1540 Mc/s

[1] This band is basically a space research band and is not intended for use by operational communication-satellite systems once the desired spacecraft orbit is established.

§ 25.203 Choice of sites and frequencies.

(a) Sites and frequencies for earth stations, operating in frequency bands shared with equal rights between terrestrial and space services, shall be selected, to the extent practicable, in areas where the surrounding terrain and existing frequency usage are such as to minimize the possibility of harmful interference between the sharing services.

(b) An applicant for an earth station authorization shall calculate the coordination distance for the proposed station in accordance with the procedures set forth in § 25.251, and submit with his application a map drawn to appropriate scale indicating the location of the earth station and the coordination distances from the earth station, for both transmission and reception by the earth station, as a function of azimuth. The coordination distance for earth station reception shall be based on a power range of 0 to 55 dbW in increments of not more than 10 db. The applicant shall also submit the mechanical and electrical characteristics of the earth station antenna(s) upon which the coordination distance calculations are based.

(c) An applicant for an earth station authorization shall also make a showing, accompanied by supporting data and calculations, that existing stations operating within the frequency band in question and those for which construction permits have been issued, and located within the pertinent calculated coordination distance contours of the proposed earth station, will not be subjected to harmful interference from earth station transmissions and will not cause harmful interference to reception at the earth station.

§ 25.204 Power limits.

(a) Within the band 5925–6425 Mc/s the mean effective radiated power transmitted in any direction in the horizontal plane by a communication-satellite earth station shall not exceed +45 dbW in any 4 kc/s band.

(b) Within the band 7900–8400 Mc/s, in order to provide a capability for both active and passive communication-satellite systems, the mean effective radiated power transmitted in any direction in the horizontal plane by a communication-satellite earth station shall not exceed +55 dbW in any 4 kc/s band except upon a showing of need for greater power, in which case a maximum of +65 dbW may be authorized, consistent with the provisions of paragraphs (c) and (d) of this section.

(c) In any direction where the distance from a communication-satellite earth station operating in the band 7900–8400 Mc/s to the boundary of the territory of another administration exceeds 400 km, the limit of +55 dbW in any 4 kc/s band in paragraph (b) of this section may be increased in that direction by 2 db for each 100 km in excess of 400 km up to a maximum of +65 dbW.

(d) If, in any direction from a proposed communication-satellite earth station, the distance to the boundary of the territory of another administration is less than the coordination distance as calculated in § 25.251, the Commission will initiate discussions in the technical aspects of the proposed operation.

NOTE: For the purposes of this part, the effective radiated power transmitted in the horizontal plane shall be taken to mean the ERP actually transmitted toward the horizon, reduced by the site shielding factor that may be applicable. The value of site shielding factor shall be determined as indicated in § 25.251(e).

§ 25.205 Minimum angle of antenna elevation.

(a) Within the band 5925–6425 Mc/s, earth station antennas shall not normally be authorized for transmission at elevation angles less than 5°, measured

from the horizontal plane to the central axis of the main lobe. However, upon a showing that the transmission path will be seaward and away from land masses or upon special showing of need for lower angles by the applicant, the Commission will consider authorizing transmissions at angles between 3° and 5° in the pertinent directions. In certain instances it may be necessary to specify minimum angles greater than 5° because of interference considerations.

(b) Within the band 7900–8400 Mc/s, earth station antennas shall not be employed for transmission at elevation angles less than 3°, measured from the horizontal plane to the central axis of the main lobe.

§ 25.206 Station identification.

(a) The requirement for transmission of station identification is waived for communication-satellite earth stations and for stations the sole function of which is to transmit telecommand signals to communication-satellite space stations.

(b) The requirement for transmission of station identification is waived for communication-satellite space stations but applicants therefor shall file ephemeris data and descriptions of transmission characteristics to be used ir lieu of identifying call signs.

§ 25.207 Cessation of emissions.

Space stations shall be made capable of ceasing radio emissions by the use of appropriate devices (battery life, timing devices, ground command, etc.) that will ensure definite cessation of emissions.

§ 25.208 Power flux density limits.

(a) The total power flux density at the earth's surface, produced by an emission from a communication-satellite space station, where wide-deviation frequency (or phase) modulation is used, shall in no case exceed −130 dbW/m² for all angles of arrival. In addition, such signals shall if necessary be continuously modulated by a suitable waveform, so that the power flux density shall in no case exceed −149 dbW/m² in any 4 kc/s band for all angles of arrival.

(b) The power flux density at the earth's surface, produced by an emission from a communication-satellite space station, where modulation other than wide-deviation frequency (or phase) modulation is used, shall in no case exceed −152 dbW/m² in any 4 kc/s band for all angles of arrival.

(c) The power flux density limits specified in paragraphs (a) and (b) of this section are applicable to the frequency bands 3700–4200 Mc/s and 7250–7750 Mc/s. Systems brought into use after January 1, 1969, shall not be limited in the frequency band 7250–7300 Mc/s.

(d) Passive communication-satellite systems may be authorized in the frequency band 7250–7750 Mc/s. The power flux density produced at the earth's surface as the result of reflection from a passive communication satellite shall not exceed the limits set forth in paragraphs (a) and (b) of this section for active systems.

§ 25.251 Procedure for calculating coordination distance.

(a) *Requirements for coordination.* Coordination is required when earth stations and terrestrial stations operate in shared frequency bands with equal rights. The coordination area around an earth station is determined by ascertaining the coordination distance measured in the various azimuths from that station.

(1) For the calculation of coordination distance, two separate cases must be considered:

(i) Interference from an earth station transmitter to terrestrial station receivers; and

(ii) Interference from terrestrial station transmitters to communication-satellite, meteorological-satellite or space research earth station receivers.

(iii) In the case of subparagraph (1)(i) of this paragraph, it has been assumed for the purpose of calculation, that the terrestrial receiving station is a line-of-sight radio-relay station designed according to C.C.I.R. Recommendations. In the case of subparagraph (1)(ii) of this paragraph, it has been assumed for all applications that the earth station forms a part of a communication-satellite system. Further, in order to ensure that a safe value of coordination distance shall be obtained, it has been assumed that the receiving station antenna in each case is of typically high gain. For the same reason, appropriately low-noise sensitive receivers are assumed in all cases.

(b) *Minimum permissible basic transmission loss* (L_b). (1) The general formula for calculating the required minimum permissible basic transmission loss is:

[formula 1]

$$L_b = (P_t + G_t) - F_s - (P_r - G_r)$$

where P_t is the power in dbW supplied by the interfering transmitter to the transmission line input,

G_t is the isotropic gain in db of the transmitting antenna of the interfering station effective in the direction of the receiving station liable to interference, including the effect of all feeder losses, and losses due to any artificial screens.

F_s is the earth station site-shielding factor in db (see § 25.251(e)),

P_r is the maximum permissible interference level in dbW at the receiver input of the receiving station, and

G_r is the isotropic gain in db of the antenna of the receiving station effective in the direction of the interfering transmitter, less feeder loss and polarization discrimination if applicable.

(2) When considering interference to telephone transmission systems, particularly in the case of systems using frequency modulation, it is convenient to operate in terms of the power densities in any 4 kc/s bandwidth. Therefore, in the case of interference from an earth station transmitter to terrestrial radio-relay systems, P_t is taken as the maximum power density in any 4 kc/s bandwidth supplied by the earth station transmitter to the transmission line input, and similarly P_r is the maximum permissible power density for any 4 kc/s bandwidth at the receiver input.

(3) When considering interference from a terrestrial transmitter to an earth station receiver, it is more convenient to consider P_t and P_r of formula (1) as total powers rather than power densities.

(4) It is assumed in calculating coordination distances for both cases in § 25.251(a) that the communication-satellite system is employing carrier energy dispersal techniques when lightly loaded.

(c) *Calculation of minimum permissible basic transmission loss.* In any direction from the transmitting station, the required minimum value of permissible basic transmission loss (L_b) is obtained from the following tables 1 and 2.

TABLE 1.—Interference from a Communication-Satellite Earth Station Transmitter to a Terrestrial Line-of-Sight Radio-Relay System

	Percentage of time	Values to be assumed for coordination
Permissible total interference in any telephone channel	0.01	−40 dbm0
Permissible interference from one earth station to one radio-relay system receiver, assuming four such non-simultaneous interference entries	0.0025	−40 dbm0
Receiver transfer characteristic assuming carrier energy dispersion to distribute interference uniformly over at least 300 kc/s bandwidth		1 db [1] (light loading worst case).
Hence, maximum value of unwanted-to-wanted signal ratio at the receiver input	0.0025	−39 db
Minimum level of wanted signal at receiver input		−74 dbW [1]
Hence, permissible level of unwanted signal at receiver input, assuming carrier energy dispersion as above	0.0025	−113 dbW
Factor for conversion of interference bandwidth to 4 kc/s from 300 kc/s		−19 db
Hence, permissible level of unwanted signal at receiver input in any 4 kc/s bandwidth	0.0025	−132 dbW (per 4 kc/s).
Isotropic gain of radio-relay station antenna less feeder losses [2]		42 db
Isotropic gain of earth station antenna effective in the horizontal plane less feeder and polarization losses [3]	2.5	G_{earth} db
Power supplied by earth station transmitter to the transmission line input per 4 kc/s bandwidth		P_{earth} dbW
Earth station site-shielding factor if applicable		F_s db
Minimum permissible basic transmission loss, L_b (in decibels)	0.1	$P_{earth}+G_{earth}-F_s+174$.

[1] These figures are taken from an example of a 960-channel line-of-sight radio-relay system but the maximum permissible unwanted signal level of −113 dbW is almost independent of the number of channels carried.

[2] The value of 42 db given in table I should be used unless it is known that the terrestrial station receiving antenna gain is greater than 42 db, in which case the higher value should be used.

[3] For simplicity, the appropriate value of G_{earth} to be used shall be the maximum value obtained in the horizontal plane in the pertinent azimuthal direction rather than the value exceeded for 2.5 percent of the time. However, when site-shielding is allowed, the value to be used shall be that maximum value obtaining at the angle of elevation of the screening obstacle.

TABLE 2.—Interference from a Terrestrial Line-of-Sight Radio-Relay Transmitter to a Communication-Satellite Earth Station Receiver

	Percentage of time	Values to be assumed for coordination
Permissible total interference in any telephone channel	0.02	−38 dbmO
Permissible interference from one terrestrial station to one earth station, assuming four such nonsimultaneous interference entries.	0.005	−38 dbmO
Receiver transfer characteristic assuming carrier energy dispersion of the wanted signal.		10 db [1]
Hence, maximum value of unwanted-to-wanted signal ratio at the receiver input.	0.005	−28 db
Minimum level of wanted signal at the receiver input		−117 dbW [1]
Hence, permissible level of unwanted signal at the receiver input	0.005	−146 dbW
Isotropic gain of earth station antenna effective in the horizontal plane [2]	5	G_{earth} db
Isotropic gain of radio-relay station antenna less feeder loss		$G_{terr.}$ db
Earth station site-shielding factor if applicable		F_s db
Power supplied by terrestrial station transmitter to the transmission line input		$P_{terr.}$ dbW
Minimum permissible basic transmission loss, L_b (in decibels) [3]	0.1	$P_{terr.}+G_{terr.}+G_{earth}-F_s+145$

[1] These figures are taken from an example of a 1200-channel communication-satellite system but the maximum permissible unwanted signal level of −145 dbW is almost independent of the numbers of channels carried.

[2] For simplicity, the appropriate value of G_{earth} to be used shall be that maximum value obtained in the horizontal plane in the pertinent azimuthal direction rather than the value exceeded for 5 percent of the time. However, when site-shielding is allowed, the value to be used shall be that maximum value obtaining at the angle of elevation of the screening obstacle.

[3] The application of coordination procedures for frequency sharing of this type involves the preparation, by the entity desiring to set up an earth station, of equal-power contours of coordination distance in the various azimuthal directions for several discrete levels of radiated power from the terrestrial station.

(d) *Summary.* The formulas giving the required basic transmission loss in db (L_b) not to be exceeded for 0.1 percent of the time are summarized as follows:

(1) For coordination between an earth transmitting station and terrestrial receiving stations:

$$L_b = P_{earth} + G_{earth} - F_s + 174$$

NOTE: For the value of G_{earth}, see footnote 3 to Table 1 in paragraph (c).

(2) For coordination between terrestrial transmitting stations and a communication-satellite, meteorological-satellite or space research earth receiving station:

$$L_b = P_{terr.} + G_{terr.} - F_s + G_{earth} + 145$$

NOTE: For the value of G_{earth}, see footnote 2 to Table 2 in paragraph (c).

(e) *Site-Shielding Factor.* (1) In cases where earth stations are sited below the level of surrounding or nearby terrain it is necessary to adopt the following procedure. Thus, if in a given azimuthal direction, an obstacle provides an angle of elevation, θ, to the earth station then—for that azimuthal direction—it is necessary, in calculating coordination distance, to employ the maximum earth station antenna gain at the angle of elevation, θ, rather than the maximum gain along the horizontal.

NOTE: Compliance with this condition may lead to an incongruity when the elevation angle of the main beam coincides with or is approximately the same as θ, in that the calculated coordination distance with site shielding may exceed the calculated coordination distance along the same radial when site shielding is disregarded. In such cases, the smaller calculated coordination distance shall apply.

(2) As previously discussed, where site-shielding applies, the value of required basic transmission loss, L_b, may be reduced by a site-shielding factor, F_s, expressed in decibels. The following values of site-shielding factor shall apply when the obstacle limiting the angle of elevation is situated more than 5 kilometers away from the earth station.

Minimum angle of elevation, θ, of obstacle, as seen from earth station	Allowable value of site-shielding factor, F_s, in decibels
Below 1°	0
Between 1° and 2°	5
Between 2° and 3°	8
Between 3° and 4°	11
Between 4° and 5°	13
More than 5°	15

NOTE 1: In the case of nearer obstacles the values of site-shielding factor which apply may be obtained by multiplying the tabulated values by the fraction d/5, where d is the distance from the earth station to the obstacle in kilometers.

NOTE 2: The values of site-shielding factor shall be used with caution where terrestrial stations may be located, within coordination distance, at sites which are substantially above the horizontal plane passing through the earth station.

(f) *Equivalent Basic Transmission Loss at 4 Gc/s (L_b').* The propagation data considered in paragraph (g) of this section relates to the frequency of 4 Gc/s and it is therefore in general necessary to convert the minimum permissible basic transmission loss (L_b) into an equivalent loss at 4 Gc/s (L_b') before using these data to find the coordination distance. The equivalent loss in decibels at 4 Gc/s is given by:

$$L_b' = L_b + 13 - 21.6 \log_{10} f$$

where f is the assigned frequency in Gc/s. This relationship is shown in Figure 1 of paragraph (h) of this section.

(g) *World Radio-Climatic Conditions and Propagation Data.* (1) The propagation curves of Figure 2 are labelled Zone A, Zone B, and Zone C, and correspond to the various basic radio-climatic regions of the world as follows:

Zone A: Land
Zone B: Sea, at latitudes greater than 23.5° N. and 23.5° S.
Zone C: Sea, at latitudes between 23.5° N. and 23.5° S. inclusive.

(2) In any direction from the earth station the required coordination distance is found as follows:

(i) If the equivalent basic transmission loss L_b' is such that the coordination distance in the given direction lies wholly within one of the zones, the coordination distance may be obtained directly from Figure 2 using the appropriate curve;

(ii) If the coordination distance lies partly in one zone and partly in another, the curves for mixed paths, Figures 3, 4 and 5 should be used. These curves show the loss L_b' as a function of the path length in each of the two zones separately. Thus, if the path length in one zone and the required loss are known, the path length in the other zone can be determined. The path length in the first zone is the known distance from the earth station to the zone boundary in the direction concerned, hence the further length in the second zone can be found. The total path length, or coordination distance, is the sum of the two path lengths. Figures 3, 4 and 5 cover all cases of mixed paths in two zones as follows:

Figure 3: Zones A and B.
Figure 4: Zones A and C.
Figure 5: Zones B and C.

An example of the coordination distance calculation for a mixed path is worked out in paragraph (h) of this section.

(3) In certain geographical areas where propagation losses are known to be less than the values given by the pertinent zonal propagation curves, coordination distances should be calculated on the basis of the known propagation data.

(h) *Example of Coordination Distance Calculation for a Mixed Path.* (1) The procedure to be followed in the case of a mixed path is illustrated by the following example, in which it is assumed that a basic transmission loss of 190 db is required to avoid interference from an earth station to terrestrial services in a given direction.

(2) As shown in the diagram in Figure 6, the earth station is situated 50 km. from the coast and there is an oversea path of 150 km. before the coastline of neighboring country is reached. It is required to find the coordination distance from the earth station in the given direction using the mixed paths propagation chart in Figure 6. The procedure is as follows:

(i) Starting from the origin, the distance of 50 km. from the earth station to the coastline is set off along the A axis of the chart as indicated by the point A_1.

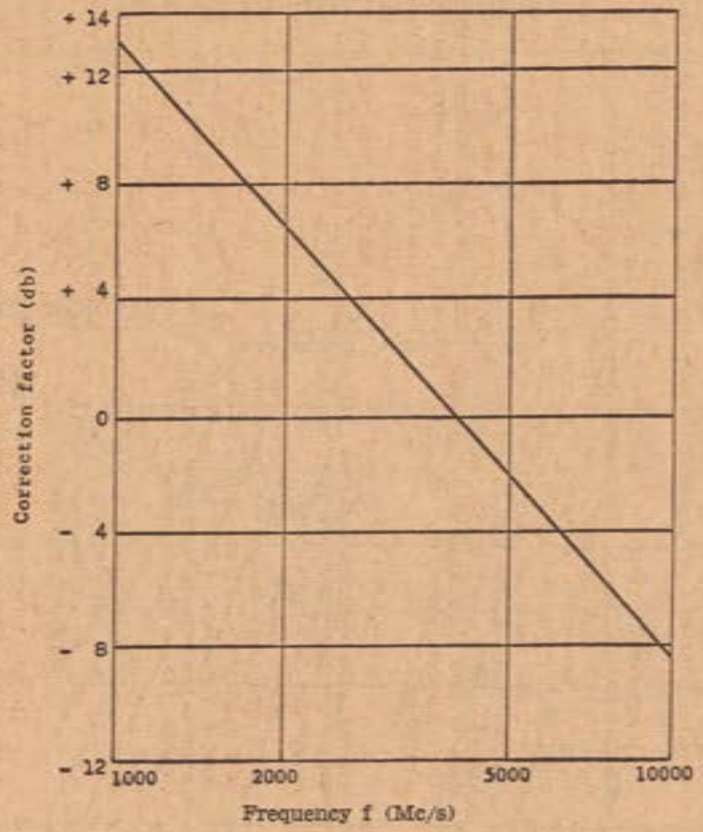
(ii) The oversea path length of 150 km. is then set off parallel to the B axis of the chart as indicated by the point B_1.

(iii) The further overland distance required is then measured parallel to the A axis from the point B_1 to the point of intersection with the 190 db curve, as indicated by X. This distance is found to be 90 km.

(iv) The coordination distance is the sum of the A and B coordinates of the point X and is equal to 50+150+90=290 km.

CORRECTION FACTOR TO BE ADDED TO THE REQUIRED LOSS L_b AT FREQUENCY f TO OBTAIN THE EQUIVALENT LOSS L_b' AT 4000 MC/S

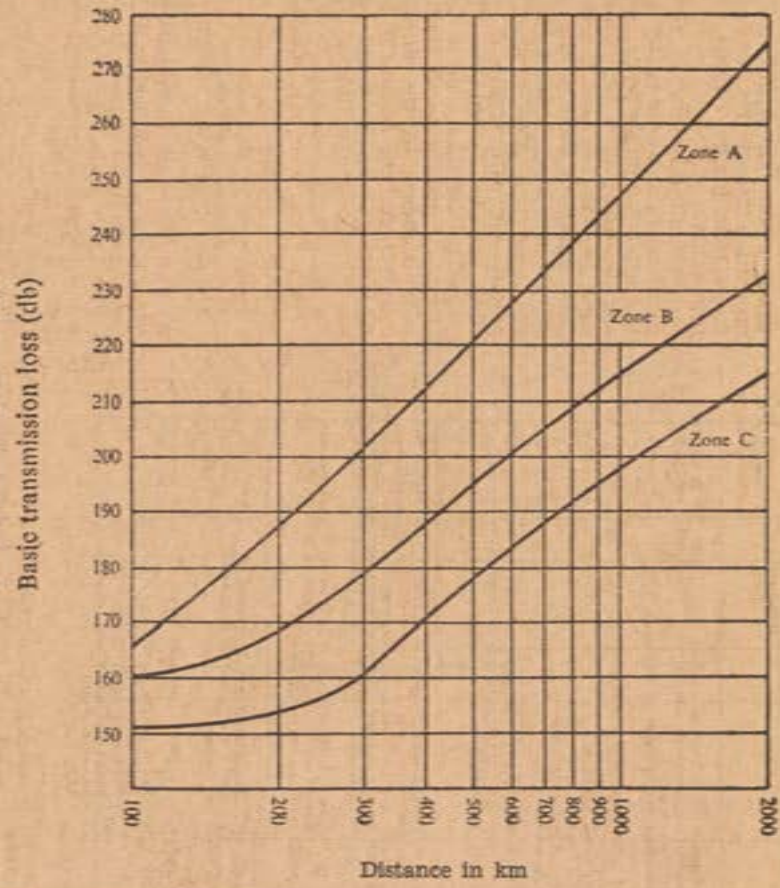
$L_b' = L_b$ + correction factor.



FCC § 25.251(h), Figure 1

SIMPLIFIED TROPOSPHERIC PROPAGATION CURVES FOR CALCULATION OF COORDINATION DISTANCE

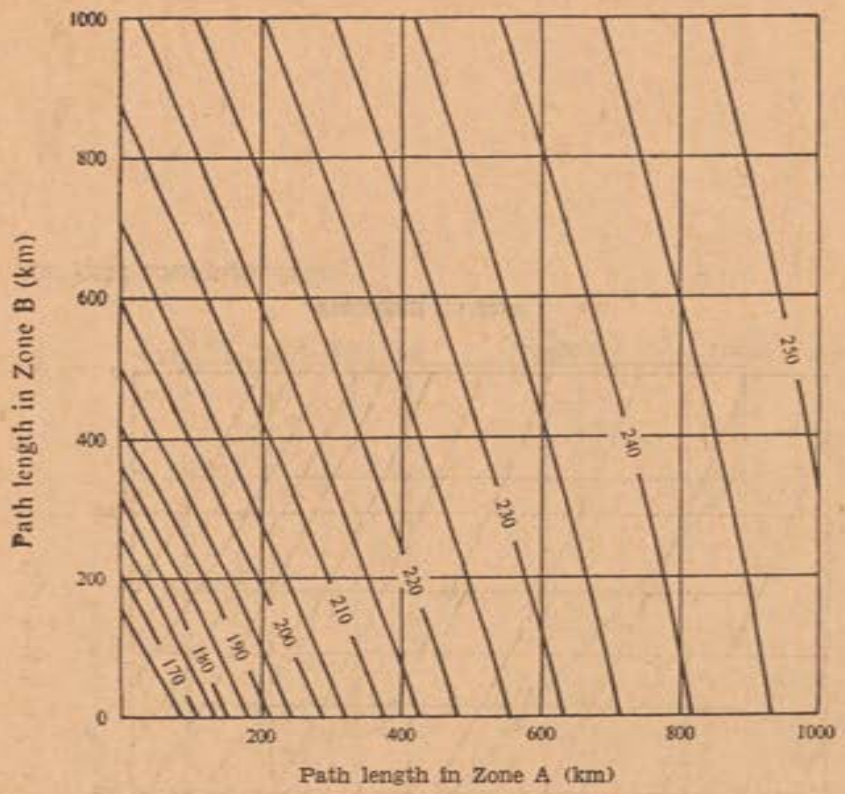
Basic transmission loss not exceeded for 0.1% of the time at 4000 Mc/s.



FCC § 25.251(h), Figure 2

CHART FOR COORDINATION DISTANCE CALCULATIONS
MIXED PATHS IN ZONES A & B

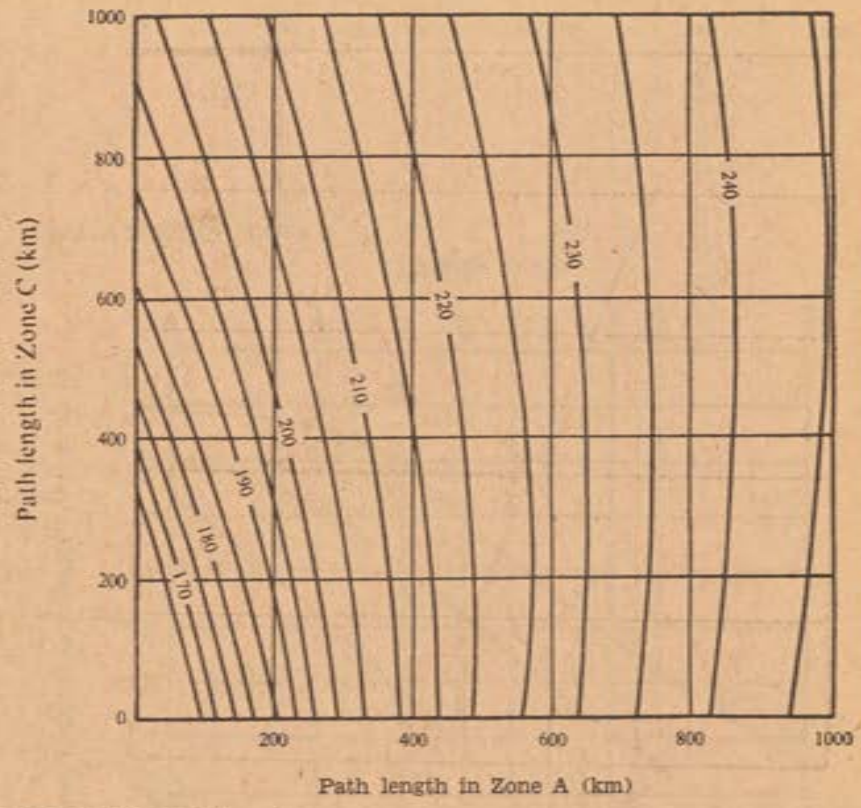
Basic transmission loss not exceeded for 0.1% of the time at 4000 Mc/s L_b' (db)



FCC § 25.251(h), Figure 3

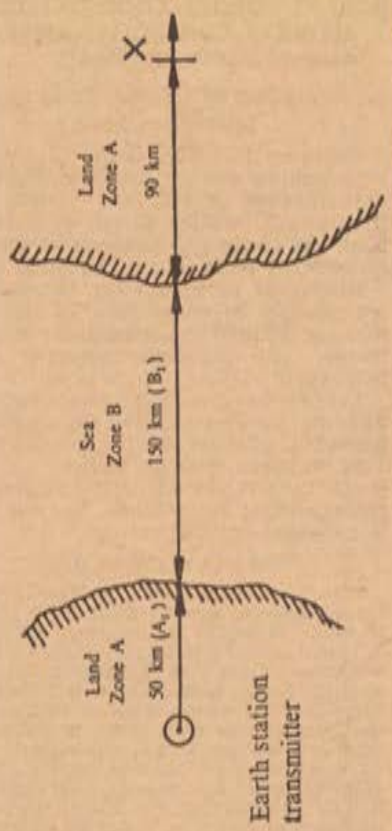
CHART FOR COORDINATION DISTANCE CALCULATIONS
MIXED PATHS IN ZONES A & C

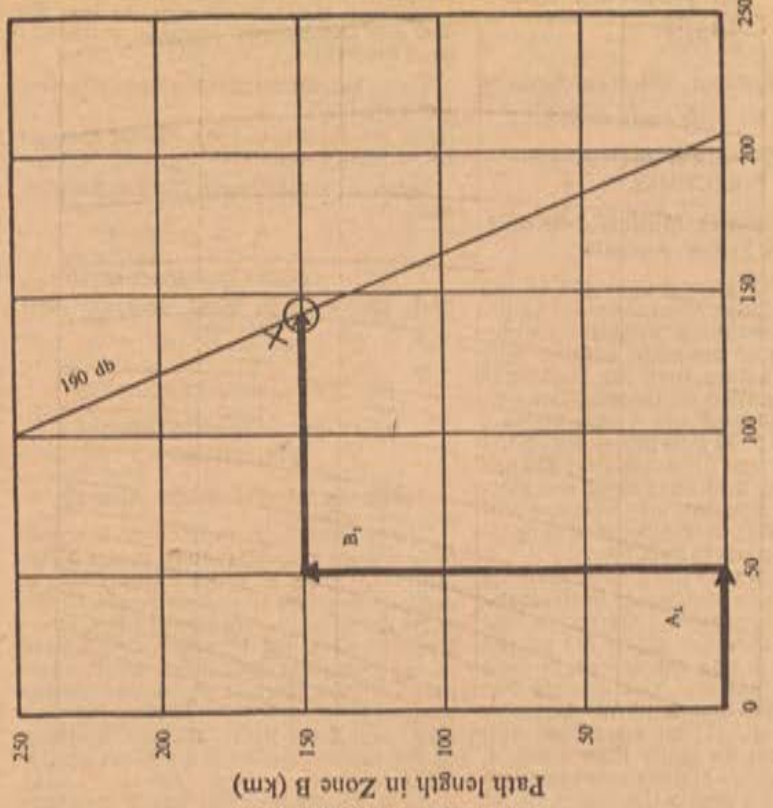
Basic transmission loss not exceeded for 0.1% of the time at 4000 Mc/s L_b' (db)



FCC § 25.251(h), Figure 4

EXAMPLE OF COORDINATION DISTANCE CALCULATION FOR MIXED PATHS



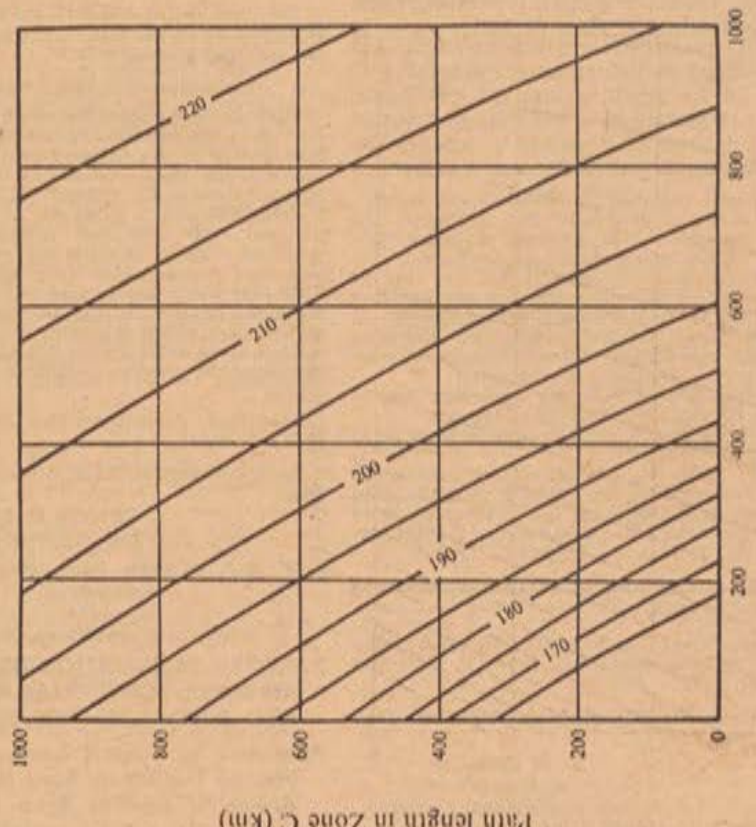


FCC § 25.251(h), Figure 6

[F.R. Doc. 65-5330; Filed, May 27, 1965; 8:45 a.m.]

CHART FOR COORDINATION DISTANCE CALCULATIONS
MIXED PATHS IN ZONES B & C

Basic transmission loss not exceeded



FCC § 25.251(h), Figure 5

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 5029; Amdt. 39-75]

PART 39—AIRWORTHINESS DIRECTIVES

General Dynamics Models 340 and 440 Series Aircraft

A proposal to amend Part 507 of the Regulations of the Administrator to include an airworthiness directive requiring inspection of the main landing gear gland nut to assure that the gland nut is properly installed on General Dynamics Models 340 and 440 Series aircraft was published in 29 F.R. 5959. Since the publication of that proposal, Part 507 has been recodified into Part 39 of the Federal Aviation Regulations, effective November 20, 1964; therefore, this amendment is being made to Part 39.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Objection was raised to the issuance of an AD on the grounds that it was considered to be a maintenance matter. The Agency has determined that the gland nut assembly is designed so that the set screws and lock screws can be easily interchanged, since their threads are the same size and their lengths are nearly the same. A set screw installed in the tapped hole intended for the lock screw will not protrude into the milled slot in the cylinder, resulting in the gland nut's not being secured to the cylinder. Because of this design feature, proper installation of the gland nut can be ensured only by mandatory inspections. Another comment suggested that it is not necessary to remove the gland nut and reinstall it to assure proper installation. The AD does not require removal of the gland nut, but merely specifies a procedure that will assure proper installation of the nut.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 (14 CFR Part 39), is hereby amended by adding the following new airworthiness directive:

GENERAL DYNAMICS. Applies to Models 340 and 440 Series aircraft.

Compliance required within the next 500 hours' time in service after the effective date of this AD unless already accomplished, and thereafter each time the main landing gear gland nut is reinstalled.

To prevent the loss of a main landing gear piston and axle assembly due to an improperly installed gland nut, inspect the main landing gear gland nut installation to assure that the gland nut is installed as follows:

(a) Screw the gland nut, P/N 528062, on to the main landing gear outer cylinder, P/N 528402, until it is tight.

(b) Unscrew the gland nut until the first tapped hole is opposite one of the milled slots in the cylinder.

(c) Screw lock screw, P/N AN501A416-8, into the tapped hole so that the screw protrudes into the milled slot in the cylinder.

(d) Screw set screw, P/N 500305-4, into an adjacent tapped hole in the gland nut and safety the lock screw and set screw with a lockwire.

(General Dynamics/Convair Models 340 and 440 Maintenance Manuals cover this same subject.)

This amendment becomes effective June 27, 1965.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on May 24, 1965.

G. S. MOORE,
Director,
Flight Standards Service.

[F.R. Doc. 65-5574; Filed, May 27, 1965; 8:45 a.m.]

[Docket No. 6661; Amdt. 39-74]

PART 39—AIRWORTHINESS DIRECTIVES

Mooney Model M20E Aircraft

There have been failures of the propeller blade tip on Mooney Model M20E aircraft. Since this condition is likely to exist or develop in other aircraft of the same type design, an airworthiness directive is being issued to require the addition of an operating limitation to the Airplane Flight Manual restricting operation of the aircraft's engine between 2,100 and 2,350 RPM, and the marking of the tachometer with a red arc in this RPM range.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MOONEY. Applies to Model M20E aircraft, Serial Numbers 101 through 722, equipped with Hartzell propeller, HC-C2YK/7666-2 or CHC-C2YK/7666-2.

Compliance required within the next 25 hours' time in service after the effective date of this AD unless already accomplished.

To avoid continuous propeller operation in the speed range where vibration stresses are high, accomplish the following:

(a) Add the following operating limitation to the Airplane Flight Manual:

"Avoid continuous operation between 2,100 and 2,350 RPM."

(b) Mark engine tachometer with a red arc from 2,100 to 2,350 RPM or install Mooney decal, P/N 150010-65, on tachometer bezel glass in accordance with Mooney Service Letter No. 20-127, dated April 15, 1965.

This amendment becomes effective May 28, 1965.

(Secs. 313(a), 601 and 603, Federal Aviation Act of 1958; 490 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on May 24, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-5575; Filed, May 27, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-9]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Area

February 27, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 2606) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the International Falls, Minn., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 22, 1965, as hereinafter set forth:

(1) In § 71.171 (29 F.R. 17581) the International Falls, Minn., control zone is amended to read:

INTERNATIONAL FALLS, MINN.

Within a 5-mile radius of Falls International Airport, International Falls, Minn. (latitude 48°33'58" N., longitude 93°24'07" W.); and within 2 miles each side of the International Falls VOR 129° radial extending from the 5-mile radius zone to 8 miles SE of the VOR; and within 2 miles each side of the International Falls VOR 320° radial extending from the 5-mile radius zone to 8 miles NW of the VOR; and within 2 miles each side of the 325° bearing from radio station CFOB extending from the 5-mile radius zone to 8 miles NW of the radio station excluding the portion outside of the United States.

(2) In § 71.181 (29 F.R. 17643) the International Falls, Minn., transition area is amended to read:

INTERNATIONAL FALLS, MINN.

That airspace extending upward from 700 feet above the surface within 8 miles NE and 5 miles SW of the International Falls VOR 129° and 309° radials extending from 4 miles NW to 14 miles SE of the VOR; and within 8 miles SW and 5 miles NE of the International Falls VOR 320° radial extending from the VOR to 12 miles NW of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles SW and 5 miles NE of the 325° bearing from radio station CFOB extending from the radio station to 12 miles NW of the radio station excluding the portions outside of the United States.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 20, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5576; Filed, May 27, 1965; 8:45 a.m.]

[Airspace Docket No. 64-CE-97]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone, Designation of Transition Area and Revocation of Control Area Extension

On January 8, 1965, a notice of proposed rule making was published in the

FEDERAL REGISTER (30 F.R. 227) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Garden City, Kans., terminal area. On March 25, 1965, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3884) stating that the Federal Aviation Agency proposed to provide additional controlled airspace, and therefore realter the controlled airspace in the Garden City, Kans., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Two comments were received as a result of circularizing the subject notice of proposed rule making. The Air Transport Association endorsed the proposed action. A letter of objection was received from the Chairman, Airspace Committee, Soaring Society of America, Inc. This objection was based on their opinion that insufficient traffic exists at Garden City for continued designation of a control zone. Since Garden City meets all criteria for the establishment of a control zone, we find the objection without merit.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

1. Section 71.165 (29 F.R. 17557) is amended as follows: The Garden City, Kans., control area extension is revoked in its entirety.

2. In § 71.171 (29 F.R. 17581) the Garden City, Kans., control zone is amended to read:

GARDEN CITY, KANS.

Within a 5-mile radius of the Garden City Airport (latitude 37°56'09" N., longitude 100°43'47" W.), and within 2 miles each side of the 144° bearing from the Garden City RBN, extending from the 5-mile radius zone NW to the RBN, and within 2 miles each side of the Garden City VORTAC 004° and 171° radials, extending from the 5-mile radius zone to 8 miles N and S of the VORTAC.

3. § 71.181 (29 F.R. 17643) the following transition area is added:

GARDEN CITY, KANS.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Garden City Airport (latitude 37°56'-09" N., longitude 100°43'47" W.), within 5 miles E and 8 miles W of the Garden City VORTAC 004° and 184° radials, extending from 7 miles S to 13 miles N of the VORTAC, and within 2 miles each side of the Garden City VORTAC 171° radial, extending from the 6-mile radius area to 9 miles S of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of the Garden City VORTAC and within 5 miles NE and 8 miles SW of the 324° bearing from the Garden City RBN, extending from the 15-mile radius area to 13 miles NW of the RBN.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5577; Filed, May 27, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-56]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Denver, Colo., control zone.

The Denver, Colo., control zone is presently designated, in part, with reference to the Denver radio beacon which will be decommissioned on August 19, 1965. Therefore, action is taken herein to revoke the control zone extension based on the radio beacon. Controlled airspace requirements in the Denver area will be reviewed at a later date under the CAR Amendments 60-21/60-29 implementation program.

Since the change effected by this amendment is less restrictive in nature than present requirements, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 19, 1965, as hereinafter set forth.

In § 71.171 (29 F.R. 17594), the Denver, Colo., control zone is amended to read:

Within a 10-mile radius of Stapleton International Airport (latitude 39°45'35" N., longitude 104°52'40" W.), within 2 miles each side of the Stapleton ILS localizer E course extending from the 10-mile radius zone to 11.5 miles E of Stapleton International Airport, and within 2 miles each side of the Denver VORTAC 045° radial extending from the 10-mile radius zone to 5 miles NE of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on May 20, 1965.

WM. SLADE HARDEE,
Acting Director, Western Region.

[F.R. Doc. 65-5578; Filed, May 27, 1965; 8:45 a.m.]

[Airspace Docket No. 63-SO-74]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On April 23, 1965, Federal Register Document No. 65-4238 was published in the FEDERAL REGISTER (30 F.R. 5731) amending Part 71 of the Federal Aviation Regulations. In the amendment, beginning on the 26th line of the description of the Orlando, Fla., transition area, it was stated "* * * thence clockwise along this 35-mile radius arc to the NE boundary of V-159. * * *" This portion of the description is ambiguous inasmuch as V-159 extends both SE and NW of the Orlando VOR. To remove this ambiguity it is necessary to insert the phrase "NW of Orlando" immediately following "V-159."

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, Federal Register Document No. 65-4238 is altered as follows:

In the 28th line of the description of the Orlando, Fla., transition area, "NW of Orlando" is inserted immediately following "* * * V-159."

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 20, 1965.

CHESTER W. WELLS,
Acting Director, Southern Region.

[F.R. Doc. 65-5579; Filed, May 27, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-10]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On February 27, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 2612) stating that the Federal Aviation Agency proposed to designate controlled airspace in the vicinity of Baudette, Minn.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable, including those of the Air Transport Association.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 22, 1965, as hereinafter set forth:

In § 71.181 (29 F.R. 17643) the following transition area is added:

BAUDETTE, MINN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Baudette International Airport, Baudette, Minn. (latitude 48°43'25" N., longitude 94°-36'24" W.) and within 2 miles each side of the 111° bearing from Baudette International Airport extending from the 5-mile radius area to 8 miles E of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles S and 8 miles N of the 111° and 291° bearings from Baudette International Airport extending from 7 miles W to 13 miles E of the airport, excluding the portion outside of the United States.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 20, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5580; Filed, May 27, 1965; 8:46 a.m.]

[Airspace Docket No. 65-CE-34]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On March 24, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3821) stating

that the Federal Aviation Agency proposed to alter controlled airspace in the Aberdeen, S. Dak., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., August 19, 1965, as hereinafter set forth:

In § 71.181 (29 F.R. 17643) the Aberdeen, S. Dak., transition area is amended to read:

ABERDEEN, S. DAK.

That airspace extending upward from 700 feet above the surface within 8 miles NE and 5 miles SW of the Aberdeen VORTAC 131° and 311° radials extending from 13 miles SE to 5 miles NW of the VORTAC, and within 2 miles each side of the Aberdeen VORTAC 312° radial extending from 7 miles NW to 17 miles NW of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 21-mile radius of the Aberdeen VORTAC extending clockwise from a line 5 miles SE of and parallel to the Aberdeen VORTAC 232° radial to a line 5 miles E of and parallel to the Aberdeen VORTAC 355° radial, within 8 miles SW and 5 miles NE of the Aberdeen VORTAC 312° radial extending from the 21-mile radius area to 21 miles NW of the VORTAC, and within 5 miles E and 8 miles W of the Aberdeen VORTAC 172° radial extending from the VORTAC to 13 miles S of the VORTAC.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 19, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5581; Filed, May 27, 1965; 8:46 a.m.]

[Airspace Docket No. 65-CE-58]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Modification of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Detroit, Mich., transition area.

The Federal Aviation Agency is planning to decommission the Ford, Mich., radio beacon on July 22, 1965. Since the Detroit, Mich., transition area is presently designated, in part, with reference to the Ford radio beacon, this amendment is necessary to substitute a new reference point for the presently designated Ford radio beacon. This amendment will not affect the airspace encompassed in the presently designated Detroit, Mich., transition area.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 22, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Detroit, Mich., transition area is amended to read:

DETROIT, MICH.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Detroit Metropolitan Wayne County Airport (latitude 42°13'05" N., longitude 83°21'00" W.), and within an 8-mile radius of Willow Run Airport (latitude 42°14'05" N., longitude 83°31'45" W.), and within 2 miles each side of the Metropolitan Wayne County Airport ILS localizer SW course, extending from the 8-mile radius area to 8 miles SW of the OM, and within 2 miles each side of the Willow Run VOR 047° radial, extending from the 8-mile radius area to 10 miles NE of the intersection of the Willow Run Airport ILS localizer NE course and the Salem, Mich., VOR 140° radial, and within 2 miles each side of the Windsor, Ontario, ILS localizer SW course extending from the Detroit Metropolitan Wayne County Airport 8-mile radius to the United States/Canadian Border, excluding the portion within the Grosse Ile, Mich., control zone; and that airspace extending upward from 1,200 feet above the surface bounded on the W by longitude 84°05'00" W., on the N by latitude 42°46'00" N., on the E by the E boundary of V-42 E alternate and the United States/Canadian Border, and on the S by a line from latitude 41°45'05" N., longitude 84°05'00" W., to latitude 41°45'30" N., longitude 83°19'45" W., to latitude 41°50'39" N., longitude 83°08'47" W., to latitude 41°45'-30" N., longitude 83°03'30" W., to the United States/Canadian Border at latitude 41°45'-30" N., longitude 82°51'00" W.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on May 19, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5582; Filed, May 27, 1965; 8:46 a.m.]

[Docket No. 6313; Amdt. 165-2]

PART 165—WAKE ISLAND CODE

Miscellaneous Amendments

The purpose of this amendment is to reflect new delegations of authority to fix certain fees and charges to the Regional Director, Pacific Region; to reflect the new titles of the Regional Director and Area Manager; to make changes designed to improve the administration of the area; to add a prohibition against providing or transferring gambling facilities; to authorize the Area Manager to issue citations for petty offenses; to describe the boundaries of the Wake Island Airport; and to limit the kinds of cases in which an accused may forfeit bail without permission and thereby terminate proceedings.

This amendment is based on notice of proposed rule making 64-49 that was published in the FEDERAL REGISTER on November 17, 1964 (29 F.R. 15378). The notice also was posted on the FAA official bulletin board in the Terminal Building at Wake Island and copies were distributed to Tenant Agencies on Wake Island following announcement that they were available. Only three comments were received. They did not express any objections. All relevant matters presented have been fully considered and it is concluded that the amendment should be adopted as proposed, except for correction of the address stated in § 165.5.

In consideration of the foregoing, effective June 27, 1965, Part 165 is amended as hereinafter set forth.

(Sec. 10, International Aviation Facilities Act (49 U.S.C. 1159); sec. 48, Hawaii Omnibus Act of July 12, 1960 (74 Stat. 424); Executive Order 11048 (3 CFR 1962 Supp., p. 241); agreement between FAA and the Department of the Interior of February 5, 1962 (27 F.R. 8887))

Issued in Washington, D.C., on May 21, 1965.

N. E. HALABY,
Administrator.

1. Part 165 is amended by striking out the words "Island Manager" and "Assistant Administrator" wherever they appear and inserting the words "Area Manager" and "Regional Director", respectively, in place thereof.

2. Part 165 is amended by striking out the heading of Subpart P and inserting a new heading in place thereof, to read as follows:

Subpart P—Medical, Dental and Hospital Services

3. Section 165.1 is amended by adding the following new paragraph at the end thereof:

§ 165.1 Applicability.

* * * * *

(c) For the purposes of this part, the Wake Island Airport consists of the area shown on a map entitled "Wake Island Airport Boundary," File No. PC-A-1623, dated May 4, 1963, that has been filed with the Office of the Federal Register and is also available for inspection and copying at the offices of the Regional Director and the Area Manager. The boundaries of the airport are described in Appendix A to this part.

4. Subpart A is amended by adding the following new section at the end thereof:

§ 165.5 Publication of rates and charges for supplies and services fixed by the Regional Director.

Whenever this part provides that the FAA Regional Director for the Pacific Region (Regional Director) fixes charges for supplies or services, the orders prescribing these charges are on file, and may be inspected, at the FAA Regional Office, 1833 Kalakaua Avenue, Honolulu, Hawaii. Copies of the orders are on file, and may be inspected, at the office of the Area Manager. Lists of all charges in effect are posted at the office of the Area Manager. In addition, charges for utility services are posted at each office where inquiry about billing may be made and charges for medical, dental and hospital services are posted in a prominent place in each Island Dispensary.

5. Paragraph (a) of § 165.15 is amended to read as follows:

§ 165.15 Authorized functions, powers, and duties.

* * * * *

(a) Issue citations for violations of Subpart E (Petty Offenses) and Subpart I (Motor Vehicle Code) of this part.

* * * * *

§ 165.17 [Amended]

6. Section 165.17 is amended by striking out the word "major"

7. Section 165.41 is amended by adding the following new paragraph at the end thereof:

§ 165.41 General criminal offenses.

* * * * *

(kk) Transfer or provide to any person any facilities, equipment, or device for the purpose of organized gambling, or any interest in a game of chance, without permission from the Area Manager. Organized gambling means gambling arranged for by a person or persons who intend to derive a profit, by participation in the gambling or otherwise, from making such arrangements.

8. Paragraph (b) of § 165.85 is amended to read as follows:

§ 165.85 Bail.

* * * * *

(b) When an offense has been charged by a citation issued by a peace officer or the Area Manager, bail shall be set in the amount prescribed by the senior judge for the violation. The bail shall be paid in cash to the Clerk of the Court. The bail may be forfeited by the accused and the proceedings thereby terminated in the case of a violation of Subpart I of this part that does not involve a moving vehicle or collision, or with permission of the Court in the case of any other offense charged by a citation.

§ 165.89 [Amended]

9. The second sentence of paragraph (a) of § 165.89 is amended to read as follows: "However, if the offense is one for which issue of a citation is authorized by this part and a citation for the offense has been issued, the citation serves as an information."

10. The first sentence of § 165.129 is amended to read as follows:

§ 165.129 Citation in place of arrest.

In any case in which a peace officer may make an arrest without a warrant, he may, under such limitations as the Area Manager may impose, issue and serve a citation, or serve a citation issued by the Area Manager, on a person in place of arresting him if the officer considers that the public interest does not require an arrest * * *.

11. Paragraph (c) of § 165.151 is amended to read as follows:

§ 165.151 Motor vehicle maintenance and equipment.

* * * * *

(c) No person may operate a motor vehicle on Wake Island unless it is equipped with an adequate and properly functioning—

(1) Horn;
(2) Wiper, for any windshield;
(3) Rear vision mirror;
(4) Headlights and taillights;
(5) Muffler; and
(6) Spark or ignition noise suppressors.

* * * * *

§ 165.245 [Amended]

12. Section 165.245 is amended by adding the ZIP Code number "96812" after the word "Hawaii."

§§ 165.255, 165.257 [Deleted]

13. Sections 165.255 and 165.257 are deleted.

14. Section 165.259 is amended to read as follows:

§ 165.259 Charges for utility services.

The Regional Director fixes the charges for electric power, water, sewerage disposal, and telephone service.

15. Paragraph (b) of § 165.261 is amended to read as follows:

§ 165.261 Rates of payment: measurement, adjustment, and billing.

* * * * *

(b) If charges for utility services are increased, each user shall be notified at least 30 days before the increase takes effect.

16. Section 165.271 is amended to read as follows:

§ 165.271 Applicability.

This subpart prescribes the conditions under which the Administrator provides medical and dental services and supplies and hospitalization at Wake Island.

§ 165.273 [Deleted]

17. Section 165.273 is deleted.

18. The section heading and the introductory paragraph and subparagraph (3) of paragraph (a) of § 165.277 are amended to read as follows:

§ 165.277 Persons eligible for treatment.

(a) Subject to applicable charges as prescribed under § 165.283, general treatment for injury or disease is provided for—

* * * * *

(3) Employees of a non-United States agency who are at an Island location under temporary or permanent assignment;

§§ 165.279, 165.281 [Deleted]

* * * * *

19. Sections 165.279 and 165.281 are deleted.

20. Section 165.283 is amended to read as follows:

§ 165.283 Charges for medical services.

(a) Except as provided in paragraphs (b)–(d) of this section, the Regional Director fixes the charges for medical services; medical supplies; dental services; and hospitalization.

(b) No charge is made for treatment of civilian employees of the United States who are under the jurisdiction of the Bureau of Employees' Compensation for injury incurred while performing their duties or for disease proximately caused by the conditions of their employment.

(c) No charge is made for immunizations or physical examinations required in connection with employment by the United States.

(d) Individuals are not charged for services or supplies paid for by another Government agency or other third person under an agreement with FAA.

21. The following Appendix is added at the end of the part:

APPENDIX A

BOUNDARY DESCRIPTION—WAKE ISLAND AIRPORT

The boundaries of the Wake Island Airport are as follows: Beginning at a point located southwest of the southwest corner of the intersection of Gull Street and Samoa Avenue at a distance of ten feet from the southerly edge of Gull Street and five feet from the westerly edge of Samoa Avenue; thence in a general south and easterly direction on a line five feet west of the west edge of Samoa Avenue to the northeast corner of building T–182; thence in a southwesterly direction to the northwest corner of building T–182; thence in a southeasterly direction to the southwest corner of building T–182; thence in a northeasterly direction to the southeast corner of building T–182; thence in a general south and easterly direction on a line five feet west of the west edge of Samoa Avenue to a point ten feet west of the west edge of Wake Avenue; thence in a general south and easterly direction as a line ten feet west of the west edge of Wake Avenue past the Terminal Building and around the runway overrun to a point ten feet north where Wake Avenue and Elrod Drive join; thence in a general westerly direction on a line ten feet north of the north edge of the pavement of Elrod Drive to a point 400 feet west of the end of the runway and ten feet north of the north edge of Elrod Drive; thence in a general northerly direction for a distance of 790 feet on a line perpendicular to the center of the runway; thence in a general easterly direction for a distance of 900 feet on a line parallel to and 100 feet north of the north edge of the taxiway; thence in a general northerly direction for a distance of approximately 650 feet on a line perpendicular to the runway centerline to the high water mark of the lagoon designated by a 4" x 4" concrete marker; thence in a general easterly and northerly direction along a line corresponding to the high water mark of the lagoon to a 4" x 4" concrete marker 300 feet west of the point where Taxiway "B" joins the aircraft parking area located on the west side of Taxiway "B"; thence in a general north and westerly direction along a line paralleling and located 400 feet west of the Taxiway "B" to the point of intersection of this line with a line paralleling and located 100 feet west of the west edge of the maintenance ramp; thence in a general northerly direction along this line 100 feet west of the west edge of the maintenance ramp to the point where this line meets a point ten feet south of the south edge of Gull Street; thence in a general easterly direction on a line ten feet south of the south edge of Gull Street to the point located ten feet south of Gull Street and five feet west of Samoa Avenue, southwest of the southwest corner of the intersection of Gull Street and Samoa Avenue.

[F.R. Doc. 65-5583; Filed, May 27, 1965; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

[Amdt. 17]

PART 722—COTTON

Subpart—Acreage Allotment Regulations for the 1964 and Succeeding Crops of Upland Cotton

ERRONEOUS NOTICES AND TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

Correction

In F.R. Doc. 65-5222, appearing at page 6712 of the issue for Tuesday, May 18, 1965, the name "Dyer" should appear in the list of counties under Tennessee, in § 722.226(i).

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

[Sugar Determination 876.17]

PART 876—SUGARCANE: HAWAII

Fair and Reasonable Prices for 1965 Crop

Pursuant to the provisions of section 301(c)(2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and due consideration of the evidence obtained at the public hearing held in Hilo, Hawaii on December 4, 1965, the following determination is hereby issued:

§ 876.17 Fair and reasonable prices for the 1965 crop of Hawaiian sugarcane.

A producer of sugarcane in Hawaii who is also a processor of sugarcane (herein referred to as "processor") shall have paid, or contracted to pay, for sugarcane of the 1965 crop grown by other producers and processed by him, or shall have processed sugarcane of other producers under a toll agreement, in accordance with the following requirements:

(a) *Toll agreements.* (1) The rate for processing sugarcane under a toll agreement at Olokele Sugar Co., Ltd., and Kekaha Sugar Co., Ltd., shall be not more than the rate provided in the agreement between the producer and the processor applicable to the prior crop.

(2)(i) The rate for processing sugarcane delivered by a producer under a toll agreement to those processors listed below shall be not more than that established for each such processor.

Processor	Rate for processing (percentage of gross proceeds from sugar and molasses)	Delivery point for sugarcane
Puna Sugar Co., Ltd.	36	Mill.
Kohala Sugar Co.	33	Do.
Laupahoehoe Sugar Co.	45	Loaded in trucks.
Hilo Sugar Co., Ltd.	45	Do.
Onomea Sugar Co.	45	Do.
Pepeekeo Sugar Co.	45	Do.
Paauhau Sugar Co., Ltd.	45	Do.
Hawaiian Agricultural Co.	45	Do.
Hutchinson Sugar Co., Ltd.	45	Do.

(ii) The gross proceeds from sugar and molasses shall be determined in accordance with the Standard Sugar Marketing Contract and the Standard Molasses Marketing Contract entered into by the producer, or his agent, with the California and Hawaiian Sugar Refining Corp., Ltd. (a cooperative agricultural marketing association herein referred to as C & H): *Provided*, That the gross proceeds so determined to be applicable to the sugar and molasses recovered from the sugarcane of the producer shall be converted to dollars per hundredweight of sugar, raw value basis, for the purpose of applying the rate for processing.

(iii) The applicable rate for processing established in this subparagraph for sugarcane of the producer shall cover (*a*) all transporting, handling, and processing costs applicable to the producers' sugarcane from the delivery point specified herein until the raw sugar and molasses recovered therefrom leaves the bulk sugar bin or the molasses tank of the processor, except those costs incurred for insuring such raw sugar and molasses while stored therein; (*b*) the cost of insuring such sugarcane against loss by fire to the same extent that sugarcane of the processor is insured; (*c*) the costs of weighing, sampling, and taring such sugarcane; (*d*) the cost of general weed and rodent control other than in the sugarcane fields of producers and alongside the roads adjacent thereto; and (*e*) the cost of all research and experimental work applicable to the production and processing of such sugarcane.

(iv) The sugarcane received from producers shall be handled and processed by the processor in a manner which is no less favorable than the handling and processing of the sugarcane of the processor. The processor, in acting as agent for the producer, shall handle and deliver to C & H the raw sugar and molasses recovered from the sugarcane of the producer in a manner which is no less favorable than the handling and delivery to C & H of the raw sugar and molasses recovered from the sugarcane of the processor. The processor shall promptly transmit to the producer the amount of gross proceeds received for the sugar and molasses recovered from the sugarcane of the producer, less the applicable processing rate, and less the expenses paid by the processor, as agent for the producer, pursuant to the toll agreement. Handling and delivery expenses shall be limited to those direct expenses paid by the processor as agent for the producer, but shall not include overhead charges of the processor.

(b) *Purchase agreements.* (1) The price for sugarcane under adherent planter agreements shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop.

(2) The price for the producers' share of sugarcane under cultivation contracts at Laupahoahoe Sugar Co. shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop.

(3) The price for sugarcane under independent grower purchase agreements shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop: *Provided*, That the items of expense which may be deducted in computing net returns for the 1965 crop shall be limited to the same items as for the 1964 crop, except that if the processor incurs handling and delivery expenses otherwise allowable under the agreement and which are incurred under abnormal conditions which the "State Executive Director" (i.e., the person employed to be responsible for the day-to-day operations of the Hawaii Agricultural Stabilization and Conservation Service State Office, or any employee in such office acting on behalf of such person), determines justify the incurrence of such expenses, such expenses also may be deducted.

(c) *Sugarcane weight and quality determination.* The determination of the net weight and quality of the sugarcane received from the producer, and the allocation of sugar and molasses recoveries to the producer shall be made in accordance with the methods customarily used by the processor; methods which have been approved by the Experiment Station of the Hawaiian Sugar Planters Association; or methods agreed upon between the processor and the producer, which will reflect the true weight and quality of sugarcane and the quantities of sugar and molasses recovered from the sugarcane of the producer.

(d) *Overhead charges for services furnished to producers.* If the processor, at the producer's request, furnishes labor, materials, or services used in producing, harvesting, or transporting the producer's sugarcane, or transports the producer's sugar or molasses from the mill to the port in the processor's own equipment, the processor may charge in addition to the direct costs of such labor, materials, or services, the applicable overhead expenses. If equipment is charged at standard or budgeted rates which include repair and maintenance charges, and such rates are applied equally to both the processor's and producer's producing, harvesting, and transporting operations, such rates shall be considered as the direct costs for use of equipment. Charges for applicable overhead expenses shall be based on estimated current budgets and adjusted after the end of the calendar year so as not to exceed the actual costs for such year. In addition, the processor may also charge a profit not to exceed 5 percent of the sum of the direct and overhead charges for such labor, materials, or services. Overhead expenses shall be limited to those which are properly apportionable under generally accepted accounting principles, as approved by the "State Executive Director."

(e) *Reporting requirements.* The processor shall submit to the "State Executive Director" a certified statement of the gross proceeds and handling and delivery expenses paid under (1) purchase agreements providing for payment for sugarcane based upon net returns from sugar and molasses, and (2) toll and agency agreements providing for the deduction of handling and delivery expenses on sugar and molasses from the gross proceeds obtained therefrom.

(f) *Subterfuge.* The processor shall not reduce returns to the producer below those determined in accordance with the requirements herein through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

1. *General.* The foregoing determination establishes the fair and reasonable rate requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1965 crop grown by other producers.

2. *Requirements of the act.* Section 301(c)(2) of the act provides, as a condition for payment, that the producer on

the farm who is also, directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

3. *Public hearing—Puna Sugar Co.* The representative of this company recommended a processing rate of not less than 38 percent and continuation of the profit charge allowed on services furnished to producers. He stated that of the five processing rates developed from five-year moving average cost ratios since 1956, the highest rate was 38.83 percent, the lowest rate 37.39 percent, and the median 38.18 percent. The witness said that yields of sugar per acre had declined for the 1964 crop as compared with the 1963 crop but were still over 10 percent higher than for the 1961 and earlier crops; that because of improved machinery and methods in the mill and in the harvesting and hauling operations, the company has been able to stabilize service charges to producers even under adverse weather conditions; and that 1964 crop net receipts per acre to producers, before cultivation costs, will be the third highest since the conversion to mechanical harvesting in 1956.

The representative of independent producers at Puna recommended a processing rate of 30 percent for the 1965 crop, the disallowance of the 5 percent profit charge on services furnished to producers by the plantation, and a change in the delivery point from "mill" to "loaded in trucks." The witness stated that producers made a profit on 1963 crop operations of $15.65 per ton of sugar, but suffered a loss on the 1964 crop of $5.53 per ton which was due to a decline in the price of sugar, increases in cultivation costs, increases in company charges for services, and a reduction in sugar yield from 8.73 tons per acre for the 1963 crop to 8.48 tons for the 1964 crop.

Kohala Sugar Co. The representative of Kohala recommended a processing rate of 35 percent for the 1965 crop, and continuation of other provisions of the 1964 determination. The witness stated that 1964 crop yields continued to reflect the drought conditions of 1962 and 1963, but started to improve in October as the result of better moisture conditions; and that operating costs had increased substantially during the past 2 years due principally to increased wage rates, and the higher costs of returning the drought affected fields to production.

A representative of producers at Kohala recommended a processing rate of 30 percent for the 1965 crop. The witness stated that the number of independent producers at Kohala continued to decrease because of increases in the rate for processing and in wage rates.

C. Brewer and Co. (Representing Hilo, Onomea, Pepeekeo, Paauhau, Hawaiian Agricultural, and Hutchinson.) The representative of these sugar companies recommended a processing rate of 47 percent for the 1965 crop, and continuation of the profit charge on services furnished producers. The witness stated that the core sampler was used at Hilo throughout the 1964 crop with no operational difficulties and to the apparent satisfaction of independent producers; and that yields of sugar per acre for independent producers had increased during the past 3 years. He said that producing and processing costs for the 5-year period 1960–64 indicated a processing rate of 47.45 percent, and for 1964 only, a rate of 47.64 percent. In a supplemental brief it was recommended that the 1965 crop determination include a provision that direct costs of equipment be based on budgeted costs and applied equally to the operations of producers and processors.

A representative of producers at the Hawaiian Agricultural Co. stated that 1964 was the first full crop for producers under the processing and agency contract and that producers incurred a loss of $2.43 per ton of sugar. In a supplemental brief the witness presented cost data indicating a processing rate of 44 percent for the 1965 crop.

The representative of producers at Hilo, Onomea, and Pepeekeo sugar companies recommended that the 5-percent profit charge allowed on services furnished to producers by the companies be discontinued. He stated that producers are not satisfied with the core sampling method for determining sugar and molasses credits at Hilo and would like to have separate grinding of their sugarcane. In a supplemental brief, corrected producer cost data were submitted indicating a loss of $12.47 per ton of sugar for the 1964 crop. A processing rate of 37 percent was recommended.

Laupahoehoe Sugar Co. The representative of this company recommended a processing rate of 50 percent for the 1965 crop; and that approval of the other types of agreements at Laupahoehoe be extended to 1965, since there were no changes in these agreements. He submitted preliminary cost data for 1964 and stated that cost ratio data submitted at previous hearings indicated processing rates ranging from 49 percent in 1960 to 51 percent in 1963. The witness further stated that the 5-year average 1960–64 cost ratio indicated a processing rate of 50 percent.

4. *1965 price determination.* This determination continues the provisions of the 1964 determination and provides that a processor may charge budgeted rates as direct costs for equipment services furnished producers where such rates are applied equally to producers and processors producing, harvesting, and transporting operations.

Consideration has been given to the recommendations and information submitted in connection with the hearing; to the returns, costs, and profits of producing and processing, sugarcane obtained by a recent field study and recast in terms of prospective price and production conditions for the 1965 crop; and to other pertinent factors.

The recommendations of producers and processors for changes in the processing rates applicable to several of the companies have been considered. Processors recommended that the processing rate be based on the most recent 5-year average cost ratios for which data are available. Producers objected to this proposal and have pointed out that a 5-year average would include some years in which costs were not normal or were not yet stabilized. In determining processing rates the department has considered the costs of prior crops projected to the present on the basis of normal crop conditions. This analyses indicates very little change in the cost sharing relationships, and therefore the processing rates provided in this determination are deemed to be equitable.

The recommendations for changes in the profit charge on services furnished to producers and for changes in the delivery point for sugarcane have again been reviewed. It is believed that the applicable provisions of the prior determination continue to be equitable under the circumstances and therefore the recommendations have not been adopted.

The representatives of one processor recommended that the determination include a provision under which the direct charges for equipment furnished producers would be based on budgeted rates including repair and maintenance charge-out rates. The witness explained that equipment services budgeted costs, including repairs and maintenance, are based on experience rates involving man-hours, material usage, dollar expenditures, and quantities of work performed, and are adjusted from time to time to recognize changed physical and economic conditions. The witness stated such rates are posted and furnished to producers and are applied equally in processors and producers operations. The recommendation of this processor has been adopted.

After consideration of all pertinent factors this determination is considered to be fair and reasonable. Accordingly, I hereby find and conclude that the foregoing determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 31 Stat. 932; 7 U.S.C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U.S.C. Sup. 1131, as amended)

Effective date. This determination shall become effective on May 25, 1965, and is applicable to the 1965 crop of Hawaiian sugarcane.

Signed at Washington, D.C., on May 25, 1965.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 65-5618; Filed, May 27, 1965; 8:49 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 56414]

PART 14—APPRAISEMENT

Antidumping; Azobisformamide From Japan

MAY 20, 1965.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)),

gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to such authority the Secretary of the Treasury has determined that azobisformamide from Japan is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the United States Tariff Commission responsibility for determination of injury or likelihood of injury. The United States Tariff Commission has determined, and on April 27, 1965, it notified the Secrtary of the Treasury that an industry in the United States is being injured by reason of the importation of azobisformamide from Japan, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to azobisformamide from Japan.

Section 14.13(b) of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Azobisformamide	Japan	56414

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 65-5601; Filed, May 27, 1965; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter VII is amended as follows:

SUBCHAPTER K—MILITARY TRAINING AND SCHOOLS

PART 903—AVIATION CADET TRAINING; NAVIGATOR

In Subchapter K, Part 903 is deleted and reserved.

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

Subchapter W is amended as follows:

PART 1001—GENERAL PROVISIONS

Subpart A—Introduction

1. Section 1001.109–2 is revised to read as follows:

§ 1001.109–2 ASPR deviations affecting one contract or transaction.

(a) Deviations which do not require action by the Secretary and which affect a specific contract or procurement may be made by (1) The Director or Deputy Director of Procurement Policy, DCS/S&L, Hq USAF; or (2) by either the Chief of the Division or Office at Hq USAF designated as the Responsible Office (RO) for the section, subpart or part of Subchapter A, Chapter I of this title from which the deviation is requested; or (3) subject to the limitations contained in paragraph (c)(2)(ii) of this section, by the AFLC and AFSC Procurement Committees. Coordination as to form and legality will be effected prior to approval of a deviation.

(b) Requests for deviations will include complete justification and be forwarded through channels in sufficient copies so that two copies will be available to Hq USAF.

(1) Requests by AFSC activities and by the Office of Aerospace Research will be sent to AFSC (SCK–3).

(2) Requests by AFLC activities and other major commands, except those in subparagraph (1) of this paragraph, will be sent to AFLC (MCPC).

(c) Procurement Committees will: (1) Serially number each request for deviation as received and will forward one copy to Hq USAF (AFSPP–S). To maintain uniformity, the numbering will consist of the letters "ASPR," the designation of the procurement committee of receipt, fiscal year, and a serial number of the request for deviation received that fiscal year. (Example: ASPR–MCPC–65–1, 2, 3, etc.)

(2) Accomplish a review and evaluation of the requested deviation:

(i) If sufficient justification for the deviation does not exist, deny the request. A copy of the letter of denial will be furnished to Hq USAF (AFSPP–S).

(ii) If the request for deviation is concurred with and time is not of the essence the request for deviation with the Procurement Committee recommendations will be submitted to Hq USAF (AFSPP–S) for action.

(iii) If the request for deviation is concurred with and the exigency of the situation requires immediate action, the deviation will be approved after coordination with the Procurement Committee of the Command which has primary responsibility (OPR) for the section, subpart or part of Subchapter A, Chapter I of this title from which the deviation is being considered. A copy of the letter approving the deviation together with complete data and justification developed during the review and evaluation process will be submitted to Hq USAF (AFSPP–S).

(d) Written notice of deviation to the Assistant Secretary of Defense (I&L) and to the other military departments and Defense Supply Agency will be made by the Directorate of Procurement Policy, Hq USAF.

2. In § 1001.109–51 a reference is inserted in the first sentence of paragraph (a) and in the first sentence of the introductory portion of paragraph (d). As amended these portions read as follows:

§ 1001.109–51 Deviations, contract clauses.

(a) Deviations from clauses prescribed in Subchapter A, Chapter I of this title and this subchapter will be held to a minimum and will not be made unless approved as required by § 1001.109–2, § 1001.109–3, or § 1001.109–50(a). Deviations from §§ 1004.2002(a) and 1007.-3603, Part I(c) of this subchapter may be approved only at Secretarial level of the Air Force.

* * * * *

(d) Administrative approval: All proposed contract clause deviations will be submitted for approval as set forth in § 1001.109–2, § 1001.109–3, or § 1001.109–50(a) before submitting the contract to the contractor for signature. Requests for approval will be in writing and will include:

* * * * *

Subpart D—Procurement Responsibility and Authority

1. In § 1001.453(m) the references in subparagraph (7) are amended. The subparagraph now reads as follows:

§ 1001.453 Delegations of authority.

* * * * *

(m) * * *

(7) Blanket Purchase agreements as set forth in § 3.605 of this title and § 1003.605 of this subchapter.

* * * * *

2. In § 1001.454(d), subparagraph (1) and its subdivisions (i) and (iii), and subdivision (iii) of subparagraph (2) are amended to read as follows:

§ 1001.454 Authority to designate contracting officers and their representatives.

* * * * *

(d) Heads of procuring activities (Commanders, AFLC and AFSC).

(1) The authority of the Commander, AFLC, as set forth in § 1.401 of this title and this section, has been delegated to the Director, Deputy Director and the Assistant to the Director of the Directorate of Procurement and Production, Hq AFLC, with power of redelegation, who may also designate persons assigned to any AFLC activity as contracting officers and representatives thereof. Further redelegation has been made to the officials listed in the following subdivisions. Except as specified, exercise of the authority is limited to the designation of persons under the jurisdiction of the designating authority.

(i) Commanders and vice commanders of major air commands with power of redelegation limited to the level of a staff officer responsible for procurement within command headquarters and within the headquarters of the first echelon of command immediately subordinate to a major command. These personnel are also authorized to appoint contracting officers (but not representatives of contracting officers) in organizations of a Unified or Specified Command when their subordinate organization of the major air command has logistic support responsibilities for such units, and the commanders exercising this authority have command jurisdiction over the individuals so appointed.

* * * * *

(iii) Commanders and deputy commanders of air procurement regions

(APRE and APRFE), who may also designate persons under the jurisdiction of other AF commands as representatives of contracting officers (but not as contracting officers).

* * * * *

(2) * * *

(iii) Commanders and deputy commanders, contract management regions/AF contract management division, who may also designate persons not under the jurisdiction of the designating authority, including persons under the jurisdiction of other AF commands, as representatives of contracting officers. The authority to designate property administrators and plant clearance officers as representatives of administrative contracting officers on property matters and disposition of contractor inventory, respectively, may be further redelegated to chiefs, contract management districts, test site offices, and AF plant representatives without power of further redelegation.

* * * * *

Subpart I—Responsible Prospective Contractors

1. In § 1001.902–2(a) subparagraph (7) is amended by changing "made" to "make," and subparagraph (8) is revised. These subparagraphs now read as follows:

§ 1001.902–2 Exemptions.

(a) * * *

(7) Contracts written under authority of Public Law 85–804 which make formal/informal commitments, amend without consideration, or correct mistakes.

(8) The procurement is for Research (614), Exploratory Development (624), or Advanced Development (634); however, if a fixed-price type of contract is contemplated, a financial clearance will be obtained. Should any purchase action (new contract or supplemental agreement) represent an extension of work previously performed satisfactorily, this financial clearance may be waived if:

(i) The dollar value of the proposed procurement action when added to the sum of all preceding actions extending the work does not in the aggregate exceed the total of the basic contract.

(ii) Not more than one year has expired since award of the basic contract.

* * * * *

2. In § 1001.902–3 the symbols have been amended and the last two sentences have been deleted. Section 1001.902–3 now reads as follows:

§ 1001.902–3 Financial clearance.

Financial clearance is required prior to award of a contract described in § 1001.902–2(b)(5). If a complete FCR is not obtained for any reason, financial clearance is required prior to award of any contract if the prospective contractor requests advance payments or unusual progress payments. (See Part 163, Subchapter E, Chapter I of this title.) No further financial clearance is required for any contractor on the approved "Prior Financial Clearance List," within the limits outlined in the list, unless (a) the prospective contractor has requested advance payments or unusual progress payments or, (b) if, in the opinion of the FCR activity, or the contracting officer, as indicated in his request for an FCR, the proposed contract might impose a serious burden on the contractor's ability to perform. (See E–212.52, § 1030.5 of this subchapter.) Contracting officers may request financial clearance from the FCR activity having contract administration jurisdiction or from AFSC (SCKPF), whichever is nearer. To obtain financial clearance, indicate on the request for FCR "Financial Clearance Only" and include answers to items 6 through 13 of AFPI Form 63. Items 14 through 20 will be marked "N/A" (not applicable) if such is the case. If the clearance is granted by other than SCKPF, the activity granting the clearance will furnish a completed AFPI Form 63C, FCR Financial Action Summary, to SCKPF. AFPI Form 63C is required for every FCR except when financial clearance is given pursuant to the authority of the "Prior Financial Clearance List." See question two under § 1001.905–2(a).

PART 1003—PROCUREMENT BY NEGOTIATION

Subpart A—Use of Negotiation

§ 1003.101–50 [Amended]

1. Section 1003.101–50 is amended by the deletion of all of paragraph (c).

§§ 1003.110, 1003.112 [Deleted]

2. Sections 1003.110 and 1003.112 are deleted.

Subpart E—Solicitations of Proposals and Quotations

Section 1003.501(b) (4) through (16) is amended to read as follows:

§ 1003.501 Preparation of request for proposals or request for quotations.

* * * * *

(b) * * *

(4) For competitive procurements estimated to exceed $2,500 the procedures in § 2.202–1 of this title will be followed in establishing closing dates except for the following cases:

(i) Items or services where solicitation is to be made to the prime contractor and/or known sources which have satisfactorily furnished the items or services, the contracting officer may allow less than 30 days (i.e., what is reasonable for that particular procurement) for submission of proposals.

(ii) Central procurement solicitations of spare parts to prime contractors or known sources which previously have satisfactorily furnished the parts. Contracting officers may determine a reasonable period.

(iii) APRE and APRFE chiefs of procurement are authorized to approve shorter closing dates.

(iv) For procurements where both technical and cost proposals are requested, the contracting officer may set the closing date for receipt of the cost proposal later than the technical proposal, normally 10 days.

(5) to (9) No implementation.

(10) to (12) [Reserved]

(13) to (16) No implementation.

* * * * *

Subpart F—Small Purchases

§§ 1003.602–1003.609 [Deleted]

1. Sections 1003.602 through 1003.609 are deleted.

2. New §§ 1003.605 through 1003.608–8 are added as follows:

§ 1003.605 Blanket purchase agreement (BPA).

§ 1003.605–2 Limitation on use.

(a) When BPAs are used for procurements from Government established sources on indefinite delivery contracts as authorized by § 3.603–1(a) of this title, each call is not limited to $2,500.

(b) BPAs against indefinite delivery contracts will not exceed the period of subject contract.

§ 1003.605–3 Establishment of blanket purchase agreements.

(a) No implementation.

(b) The "General Provisions of Purchase Order" will not be applicable to BPAs issued against indefinite delivery contracts.

(c) The accounting and finance office will be furnished information on obligation of funds by one of the following methods:

(1) A copy of the call register showing the totals of the appropriations obligated and signed by the contracting officer will be furnished at the end of each month. When calls are placed by the requiring activity (paragraph (f)(5) of this section), a copy of the register will be furnished to the contracting officer for this purpose unless a different method is specified in Part 1004 of this subchapter.

(2) Where the procurement office uses DD Form 250, DD Form 1155, or informal correspondence as a call document a copy of the document may be signed by the contracting officer and furnished daily or periodically during the month.

(d) The annotation is not required for BPAs issued against indefinite delivery contracts.

(e) Terms and conditions: Where BPAs are issued against indefinite delivery contracts, a statement will be placed on the BPA that the terms and conditions of the basic contract apply. Accordingly, the terms and conditions required by § 3.605–3(f) (1) through (8) of this title may be modified or omitted if in conflict with the basic contract.

(1) through (4) No implementation.

(5) Individuals assigned to requiring activities not under the direct supervision of a contracting officer will only be authorized to place calls when the BPA is issued against a basic indefinite delivery contract and only for supplies or services that do not lend themselves to normal requisitioning procedure (e.g., the quantity of supplies or services are unable to be determined until shortly before or at the time of delivery), and scheduling of deliveries are required on a daily, weekly, etc., basis. Placing of calls by the requiring activity is limited to:

(i) Products listed on DSSC Brand Name Contracts.

(ii) Commissary requirements not listed in DSSC Brand Name Contracts.

(iii) All services of a recurring nature.

§ 1003.607 Use of Department of Defense or departmental procurement forms.

§ 1003.607–2 Establishment of imprest funds.

(a) (1) If the imprest fund cashier is authorized to make purchases, the fund will be under the jurisdiction of the base (or activity) procurement officer. Exceptions are:

(i) Isolated activities.

(ii) Base hospital when needed to make immediate purchases.

(iii) Deployed tactical organizations under emergency conditions.

(iv) Research laboratories or highly technical functions subject to prior written approval of the major air command of the host base.

(2) If the imprest fund cashier is not authorized to make purchases, the fund may be established at a convenient location on the base for payment of vendors or carriers (e.g., base supply receiving).

(3) Written approval will be obtained from Hq AFLC (MCPPL), through command channels, prior to establishment of imprest funds other than authorized in subparagraphs (1) and (2) of this paragraph.

(b) No implementation.

(c) (1) No implementation.

(2) Requests for appointment will be processed by the procurement office responsible for procurement support of the unit to which the imprest fund cashier is assigned. The request will be forwarded through the disbursing office to the installation commander for approval.

(i) and (ii) No implementation.

(iii) Authority to make purchases, if necessary.

(iv) and (v) No implementation.

(vi) The number of the position bond need not be shown when an AF position schedule bond applies. A statement will be included that the position is covered by an AF position schedule bond.

(vii) The alphabetic suffix assigned, if any (see § 1003.607–4(f)(2)).

(d) Safeguarding imprest funds: Imprest funds will be kept in a fire resistant safe or file cabinet with a 3 position, dial-type combination lock.

§ 1003.607–3 Conditions for use.

(a) and (b) No implementation.

(c) (1) No implementation.

(2) Requests for quotation from sources outside the metropolitan area will be requested f.o.b. destination so that vendor is responsible for payment of transportation charges to the common carrier.

§ 1003.607–4 Procedures.

(a) The total amount of material or services ordered will not exceed the available balance of cash on hand.

(b) and (c) No implementation.

(d) AF Form 763, Interim Receipt for Cash, may be used.

(e) When a DD Form 1155 or Standard Form 1165 is used, the wording in the space provided for cash receipt need not be changed, nor should a stamp be used.

(f) (1) No implementation.

(2) The subvoucher number will consist of the last two numbers of the fiscal year in which prepared, followed by the letter which identifies the cash account (A, B, etc.) followed by a dash and serial number for the fiscal year (e.g., 65A–1, 65A–2, etc.). The number may be assigned at the time the order is placed with the vendor to provide proper identification for followup, receiving, and payment. Subvouchers will be registered on AFPI Form 3E. Imprest fund cashiers outside the procurement office will furnish a copy of the register to the base procurement officer of the support base to arrive by the third work day of each month.

§ 1003.608–2 Order for supplies or services (DD Forms 1155, 1155r, 1155c, 1155c–1, and 1155s).

(a) to (c) No implementation.

(d) (1) No implementation.

(2) Purchase and delivery orders will be numbered according to § 1053.201 of this subchapter.

§ 1003.608–4 Use of DD Form 1155s with the DD Form 1155.

(a) No implementation.

(b) DD Forms 1319 and 1320 will be used to modify purchase and delivery orders.

§ 1003.608–6 Use of DD Form 1155 as a delivery order.

(a) Under call procurement arrangements (§ 1003.409–50) and basic ordering agreements (§ 3.410–2 of this title).

§ 1003.608–8 Order-invoice-voucher method.

(a) to (c) No implementation.

(d) AF activities will use DD Form 1155 as an order-invoice-voucher in lieu of Standard Form 44 except that individuals or teams operating in remote locations may use Standard Form 44.

PART 1004—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart X—Contract Vehicle Maintenance

In § 1004.2402 paragraphs (a) and (e) (1) are revised to read as follows:

§ 1004.2402 Contracts for vehicle maintenance.

(a) *General.* The contracting officer will select the type of contract which will afford maximum competition from qualified sources. Blanket purchase agreements will be issued according to § 1003.605–3(f)(5) of this subchapter when indefinite delivery type contracts are used.

* * * * *

(e) *Scheduling work.* (1) The vehicle maintenance activity will maintain a separate Contract Vehicle Maintenance Work Order Control Register, AFPI Form 36, for each vehicle maintenance contract or accounting classification to be used thereunder. Each monthly register will be identified with the contract number and the BPA number issued by the contracting officer. This activity will, at the same time, maintain a running balance on funds certified on the contract (if indefinite quantity type) or BPA.

* * * * *

Subpart Y—Packing and Crating

Former § 1004.2502 is deleted and the following is inserted as follows:

§ 1004.2502 Placement of calls against basic contract.

The procedures established herein provide for placement of calls by an individual located in the base procurement office, a person designated by a BPA under § 1003.605–3(f)(5) of this subchapter, or a contracting officer located in the transportation office against a BPA established by the contracting officer (base procurement) for a specified period in an estimated amount.

(a) to (c) No implementation.

(c) Calls will be numbered according to § 1003.605–3(c) of this subchapter.

Subpart XX—Nonappropriated Fund Contracts

In § 1004.5002–2 paragraph (a) is revised to read as follows:

§ 1004.5002–2 Construction or architect-engineer contracts funded with a combination of appropriated and nonappropriated funds.

(a) These contracts will be accomplished in the same manner as an appropriated fund procurement except contracting officers and accounting and finance officers will be furnished written documentation stating that the appropriate AF level welfare board or fund has approved the use of the nonappropriated funds and assuring that such funds will be made available when required for payments under the contract. Documentation showing administrative approval to expend the funds will be furnished by the activity authorized to administratively approve the expenditure according to Table 3 in AFR 176–1 (General Policies and Operating Principles). Documentation assuring availability of funds will be signed by the Custodian of the particular Fund which is providing the funds.

* * * * *

PART 1005—INTERDEPARTMENTAL AND COORDINATED PROCUREMENT

The heading of Part 1005 is amended to read as shown.

Subpart A—Procurement Under Federal Supply Schedule Contracts

§ 1005.106 [Amended]

In § 1005.106(a)(4) "General Accounting Office" has been amended to read "AFAFC (SAA)."

PART 1006—FOREIGN PURCHASES

Subpart T—Offshore Procurement

In § 1006.2005 the introductory portion of paragraph (c) is amended as follows, and subparagraph (3) is deleted:

§ 1006.2005 Prohibitions.

* * * * *

(c) *Purchases from sources in the continental United States.* With the exception of the procurement activities listed in subparagraph (1) of this paragraph, contracting officers in oversea commands, including United States possessions, will not normally effect base procurement of supply items from sources within the continental United States. However, urgent requirements, including Medical Supplies, which are readily available from CONUS sources may be procured, provided these procurements are consistent with the Department of Defense balance of payments program. When supplies are not available for base procurement from sources in the oversea area, and the purchase is not for an urgent requirement procured from a CONUS source the procedures contained in paragraph 26, Chapter 8, Part One, Volume I, AFM 67-1 will be followed.

* * * * *

(3) [Deleted]

* * * * *

PART 1007—CONTRACT CLAUSES

Subpart Y, Clauses and Arrangements for Letter Contracts, is deleted and reserved.

Subpart NN—Special Clauses

1. In § 1007.4028(a), clause paragraph (c)(3) is revised to read as follows:

§ 1007.4028 Estimated requirements.

(a) * * *

ESTIMATED REQUIREMENTS (JANUARY 1963)

* * * * *

(c) * * *

(3) When it is contemplated that a BPA will be used to place requirements against the contract, the third sentence of Paragraph (b) may be changed to "Delivery orders or blanket purchase agreements for supplies or services shall be issued by the Contracting Officer in writing, dated and numbered." Subparagraph (ii) will be deleted.

* * * * *

§ 1007.4046 [Deleted]

2. Section 1007.4046 is deleted.

3. In § 1007.4048 the reference to AFR 86-6 in clause paragraph (b) is deleted. This paragraph now reads as follows:

§ 1007.4048 Safety precautions for all types of dangerous materials.

* * * * *

SAFETY PRECAUTIONS FOR DANGEROUS MATERIALS (NOVEMBER 1964)

* * * * *

(b) The Contractor shall comply with the intent of applicable portions of AF Technical Orders 11C-1-6, 42B1-1-6, 00-110N-3; AF Manuals 160-39, 127-100, 71-4, 75-2; and Manufacturing Chemists' Association, Inc., Manual L-1, entitled "Warning Labels," in addition to applicable local, state and federal ordinances, laws, and codes, including latest changes, revisions and/or supplements thereto, in effect on the date of this contract, in the development, testing, storage, manufacture, packaging, transportation, handling, disposal, or use of dangerous materials, which may affect the performance of this contract, whether such performance is on premises controlled by the Government or otherwise. The Contractor shall comply with the requirement for shippers certificate in accordance with AFM 71-4 if shipment of dangerous materials is to be made by military air or to an aerial port of embarkation. The Contractor shall also comply with any additional safety measures required by the Contracting Officer with regard to such dangerous materials; provided, that if compliance with such additional safety measures results in a material increase in the cost or time of performance of the contract, an equitable adjustment will be made in accordance with the clause hereof entitled "Changes."

* * * * *

PART 1010—BONDS AND INSURANCE

Subpart G, Special Casualty Insurance Rating Plans, is deleted and reserved.

PART 1013—GOVERNMENT PROPERTY

Subpart A—General

§§ 1013.103, 1013.103-50 [Deleted]

Sections 1013.103 and 1013.103-50 are deleted.

PART 1016—PROCUREMENT FORMS

Subpart C, Purchase and Delivery Order Forms, is deleted and reserved.

Subpart E—Special Contract and Order Forms

§ 1016.502-1 [Deleted]

Section 1016.502-1 is deleted.

PART 1030—APPENDIXES TO AIR FORCE PROCUREMENT INSTRUCTION

In § 1030.2 Item B-206 in Part II is revised and in Item B-304.1 in Part III paragraph (d) (5) and (6) is amended and a new paragraph (e) is added to read as follows:

§ 1030.2 Appendix B—Manual for control of Government property in possession of contractors.

* * * * *

Part II—General Provisions

* * * * *

B-206 *Segregation or commingling of Government property and contractor's property.* (a) No implementation.

(b) Approval will be granted by the property administrator on a case by case basis where it can be demonstrated through the exercise of inventory controls, including the equitable apportionment of inventory losses that such action is advantageous to the Government.

(c) No implementation.

(d) Criteria for approval will be that set forth in paragraph (b) above.

* * * * *

Part III—Records To Be Maintained

* * * * *

B-304.1 *Records of material.* * * *

(d) * * *

(5) Items (such as maintenance and repair parts to plant equipment) which are produced for direct charge to a contract, procured and issued for installation upon receipt, and involve no spoilage.

(6) Items issued from contractor's inventory directly to production, maintenance, etc.

(e) Multicontract cost and material control: (1) No implementation.

(2) Authorization. Requests for approval to use multicontract cost and material control systems will be processed through intermediate command echelons to AFLC (MCPKF) or AFSC (SCKAP), as appropriate, on a case by case basis. Documentation in support of requests will substantiate that contractor's proposed system meets criteria for approval as set forth in Part 30, § 30.2, item 304.1(e)(1)(iii) of this title.

* * * * *

In § 1030.5 the following amendments to Part II—Basic Policies are made:

§ 1030.5 Appendix E—Contract Financing.

1. In item E-212.52, paragraph (b) has been amended and now reads as follows:

E-212.52 *Procedures.* * * *

(b) If any of the conditions in paragraph (a) of this section exist, procurement and/or contract management personnel will submit the matter through normal procurement channels to AFSC (SCKPF), OAR, or Hq USAF as appropriate. SCKPF or OAR, as appropriate, will determine whether approval may be granted directly, or is required either by a general officer at Hq AFSC or by Hq USAF according to Part 163, Subchapter E, Chapter I of this title, particularly § 163.86, § 163.74, § 163.56, or Subpart C, Part 163, Subchapter E, Chapter I of this title. If coordination with Army and Navy is required, SCKPF or OAR, will obtain it. If prior approval by higher authority at Hq USAF is required and is recommended, SCKPF or OAR will submit the matter with a proposed memorandum of approval on Secretary of the Air Force letterhead outlining the pertinent facts and approving the action requested, to Hq USAF (AFSPP). In the case of a small business concern, see § 163.48, Subchapter E, Chapter I of this title and § 1.705-4, Chapter I of this title.

2. In E-213.50 paragraph (b) is amended to read as follows:

E-213.50 *Responsibilities* * * *

(b) Buyers, price analysts, or others will not request financial data from contractors or prospective contractors other than cost data for use in pricing contracts. Requirements for such information or analysis will be requested from AFSC (SCKPF) or the cognizant CMD/AFPRO, whichever is nearer.

* * * * *

3. In E-213.51 paragraph (a) is amended to delete the word "quarterly" and subparagraph (4) of paragraph (b) is revised, as follows:

E-213.51 *Obtaining financial data.* (a) When possible make arrangements for automatic forwarding of information without necessity for periodic requests. Normally, regularly published financial statements will suffice. In exceedingly weak cases, monthly financial statements may be required. With unusually strong companies, semiannual or annual statements may be sufficient.

(b) * * *

(4) In any case where bank support is a major factor in a financial clearance a written statement should be obtained from the bank setting forth its willingness to finance the contract if awarded to its customer, the basis upon which the loan will be approved, and the general terms and conditions which would be required. A bank cannot be expected to furnish such a commitment unless it has first been adequately briefed as to the terms of the proposed contract and the financial needs of the contractor. This briefing preferably should be by the customer of the bank although there is no objection if assistance is given by the

financial analyst if requested. The statement does not require a commitment fee. Refusal by a bank to set forth in writing the information required will result in no reliance being placed on bank support in evaluating financial capability. In such cases a favorable financial clearance should be given only after a determination has been made that the Air Force would be willing to accept the responsibility for financing the contractor through the medium of V-loans, progress or advance payments.

* * * * *

4. Items E–214.53 and E–214.54 are amended to read as follows:

E–214.53 *Financial files.* SCKPF will maintain complete financial files on AF contractors.

E–214.54 *Bureau of Budget clearance.* Bureau of Budget Clearance No. 21–RO33 has been assigned to requests for financial data within the scope of this Part II.

Item E–314.1 in *Part III—Guaranteed Loans* is amended to read as follows:

E–314.1 *Certificate of eligibility.* The Deputy Chief of Staff, Systems and Logistics, Hq USAF, has delegated his authority to issue Certificates of Eligibility, to the Commander, Air Force Systems Command, with power of redelegation not below the level of the Chief or Deputy Chief, Pricing and Financial Division (SCKPF), Hq AFSC. Redelegation has been made.

PART 1053—CONTRACTS; GENERAL

Subpart D—Administrative Requirements

In § 1053.404–6:

a. In paragraph (a) (2), Michigan and the Canadian Provinces have been deleted.

b. In paragraph (b) subparagraph (7) is deleted and reserved.

c. In paragraph (d) a new subparagraph (2) is added. As amended § 1053.404–6 now reads as follows:

§ 1053.404–6 Geographical areas and DOD cognizant plants.

(a) *CMRs*—* * *

(2) *Central Contract Management Region (CCMR).* North Dakota, South Dakota, Minnesota, Iowa, Nebraska, Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Tennessee, Kentucky, Illinois, Indiana, Ohio, Wisconsin and Mexico.

* * * * *

(b) *CMDs*—* * *

(7) [Reserved]

* * * * *

(d) *DSA*—* * *

(2) *DCASR—Detroit.* The State of Michigan and the Canadian Provinces.

PART 1054—CONTRACT ADMINISTRATION

Subpart DD—Administration of Base Procurement Contracts

§ 1054.3004 [Amended]

In § 1054.3004(a) (3) the parenthetical phrase at the end of subdivision (iii) is deleted.

(Sec. 8012, 70A Stat. 488, secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 8012, 2301–2314) [AFPI Rev. Nos. 50, Jan. 29, 1965; 51, Feb. 26, 1965; 52, Mar. 31, 1965; AFPC Nos. 10, Apr. 2, 1965; 11, Apr. 7, 1965; 12, Apr. 12, 1965; 13, Apr. 15, 1965]

By order of the Secretary of the Air Force.

FREDERICK A. RYKER,
Lieutenant Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 65–5595; Filed, May 27, 1965; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

MISCELLANEOUS AMENDMENTS TO CHAPTER

These amendments are designed to revise the Federal Procurement Regulations to reflect the fringe benefits amendment of the Davis-Bacon Act (Public Law 88–349), and the related revisions of the regulations of the Department of Labor (29 F.R. 13462).

PART 1–12—LABOR

Subpart 1–12.4—Labor Standards in Construction Contracts

1. Section 1–12.401–1 is amended to reflect the amendment of the Davis-Bacon Act approved July 2, 1964 (Public Law 88–349). As amended, the section reads as follows:

§ 1–12.401–1 Davis-Bacon Act.

The Davis-Bacon Act (Act of Mar. 3, 1931, as amended; 40 U.S.C. 276a), provides that certain contracts over $2,000 entered into by any executive agency for construction, alteration, or repair (including painting and decorating) of public buildings or public works shall contain a provision (see § 1–12.403) to the effect that no laborer or mechanic employed directly upon the site of the work contemplated by the contract shall receive less than the prevailing rates of wages as determined by the Secretary of Labor. The term "wages" as used in the Davis-Bacon Act includes the basic hourly rate of pay, the rate of contribution irrevocably made pursuant to a fund, plan, or program for, and the rate of costs to the employer which may be reasonably anticipated in providing, certain bona fide fringe benefits.

2. Section 1–12.401–4 is amended to incorporate a FEDERAL REGISTER citation to the latest amendments of the regulations of the Department of Labor. As amended, the section reads as follows:

§ 1–12.401–4 Department of Labor regulations.

Pursuant to the foregoing statutes and Reorganization Plan No. 14 of 1950 (3 CFR, 1949–53 Comp., p. 1007), the Secretary of Labor has issued Regulations Parts 3 and 5, Title 29, Subtitle A, Code of Federal Regulations (29 F.R. 97 and 13462), providing for the administration and enforcement of the foregoing statutes in construction contracts.

3. Section 1–12.403–1 is amended so as to conform the contract clauses prescribed therein with the amended Davis-Bacon Act and regulations of the Department of Labor. The revised clauses have been approved by the Department of Labor. As amended, the section reads as follows:

§ 1–12.403–1 Clauses for general use.

* * * * *

(a) *Davis-Bacon Act (40 U.S.C. 276a–a(7)).*

DAVIS-BACON ACT (40 U.S.C. 276a-a(7))

(a) All mechanics and laborers employed or working directly upon the site of the work shall be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by the Copeland Regulations (29 CFR Part 3)), the full amounts due at time of payment computed at wage rates not less than the aggregate of the basic hourly rates and the rates of payments, contributions, or costs for any fringe benefits contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the Contractor or subcontractor and such laborers and mechanics. A copy of such wage determination decision shall be kept posted by the Contractor at the site of the work in a prominent place where it can be easily seen by the workers.

(b) The Contractor may discharge his obligation under this clause to workers in any classification for which the wage determination decision contains:

(1) Only a basic hourly rate of pay, by making payment at not less than such basic hourly rate, except as otherwise provided in the Copeland Regulations (29 CFR Part 3); or

(2) Both a basic hourly rate of pay and fringe benefits payments, by making payment in cash, by irrevocably making contributions pursuant to a fund, plan, or program for, and/or by assuming an enforceable commitment to bear the cost of, bona fide fringe benefits contemplated by the Davis-Bacon Act, or by any combination thereof. Contributions made, or costs assumed, on other than a weekly basis shall be considered as having been constructively made or assumed during a weekly period to the extent that they apply to such period. Where a fringe benefit is expressed in a wage determination in any manner other than as an hourly rate and the Contractor pays a cash equivalent or provides an alternative fringe benefit, he shall furnish information with his payrolls showing how he determined that the cost incurred to make the cash payment or to provide the alternative fringe benefit is equal to the cost of the wage determination fringe benefit. In any case where the Contractor provides a fringe benefit different from any contained in the wage determination, he shall similarly show how he arrived at the hourly rate shown therefor. In the event of disagreement between or among the interested parties as to an equivalent of any fringe benefit, the Contracting Officer shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

(c) The assumption of an enforceable commitment to bear the cost of fringe benefits, or the provision of any fringe benefits not expressly listed in section 1(b)(2) of the Davis-Bacon Act or in the wage determination decision forming a part of the contract, may be considered as payment of wages only with the approval of the Secretary of Labor

pursuant to a written request by the Contractor. The Secretary of Labor may require the Contractor to set aside assets, in a separate account, to meet his obligations under any unfunded plan or program.

(d) The Contracting Officer shall require that any class of laborers or mechanics which is not listed in the wage determination decision and which is to be employed under the contract shall be classified or reclassified conformably to the wage determination decision, and shall report the action taken to the Secretary of Labor. If the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers or mechanics to be used, the Contracting Officer shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

(e) In the event it is found by the Contracting Officer that any laborer or mechanic employed by the Contractor or any subcontractor directly on the site of the work covered by this contract has been or is being paid at a rate of wages less than the rate of wages required by paragraph (a) of this clause, the Contracting Officer may (1) by written notice to the Government Prime Contractor terminate his right to proceed with the work, or such part of the work as to which there has been a failure to pay said required wages, and (2) prosecute the work to completion by contract or otherwise, whereupon such Contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

(f) Paragraphs (a) through (e) of the clause shall apply to this contract to the extent that it is (1) a prime contract with the Government subject to the Davis-Bacon Act, or (2) a subcontract also subject to the Davis-Bacon Act under such prime contract.

(b) Contract Work Hours Standards Act—overtime compensation.

CONTRACT WORK HOURS STANDARDS ACT—OVERTIME COMPENSATION (40 U.S.C. 327–330)

(a) The Contractor shall not require or permit any laborer or mechanic in any workweek in which he is employed on any work under this contract to work in excess of eight hours in any calendar day or in excess of forty hours in such workweek on work subject to the provisions of the Contract Work Hours Standards Act unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all such hours worked in excess of eight hours in any calendar day or in excess of forty hours in such workweek, whichever is the greater number of overtime hours. The "basic rate of pay," as used in this clause, shall be the amount paid per hour, exclusive of the contractor's contribution or cost for fringe benefits and any cash payment made in lieu of providing fringe benefits, or the basic hourly rate contained in the wage determination, whichever is greater.

(b) In the event of any violation of the provisions of paragraph (a), the Contractor shall be liable to any affected employee for any amounts due, and to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the provisions of paragraph (a) in the sum of $10 for each calendar day on which such employee was required or permitted to be employed on such work in excess of eight hours or in excess of the standard workweek of forty hours without payment of the overtime wages required by paragraph (a).

(c) Apprentices.

APPRENTICES

(a) Apprentices shall be permitted to work as such only when they are registered, individually, under a bona fide apprenticeship program registered with a State apprenticeship agency which is recognized by the Bureau of Apprenticeship and Training, United States Department of Labor; or, if no such recognized agency exists in a State, under a program registered with the aforesaid Bureau of Apprenticeship and Training. The allowable ratio of apprentices to journeymen in any craft classification shall be not greater than the ratio permitted to the Contractor as to his entire work force under the registered program. Any employee listed on a payroll at an apprentice wage rate, who is not registered as above, shall be paid the wage rate determined by the Secretary of Labor for the classification of work he actually performed.

(b) The Contractor shall furnish written evidence of the registration of his program and apprentices as well as of the ratios allowed and the wage rates required to be paid thereunder for the area of construction, prior to using any apprentices in the contract work.

(d) Payrolls and basic records.

PAYROLLS AND BASIC RECORDS

(a) The Contractor shall maintain payrolls and basic records relating thereto during the course of the work and shall preserve them for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name and address of each such employee, his correct classification, rate of pay (including rates of contributions for, or costs assumed to provide, fringe benefits), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Contractor has obtained approval from the Secretary of Labor as provided in paragraph (c) of the clause entitled "Davis-Bacon Act," he shall maintain records which show the commitment, its approval, written communication of the plan or program to the laborers or mechanics affected, and the costs anticipated or incurred under the plan or program.

(b) The Contractor shall submit weekly a copy of all payrolls to the Contracting Officer. The Government Prime Contractor shall be responsible for the submission of copies of payrolls of all subcontractors. The copy shall be accompanied by a statement signed by the Contractor indicating that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor, and that the classifications set forth for each laborer or mechanic conform with the work he performed. Submission of the "Weekly Statement of Compliance" required under this contract and the Copeland Regulations of the Secretary of Labor (29 CFR, Part 3) shall satisfy the requirement for submission of the above statement. The Contractor shall submit also a copy of any approval by the Secretary of Labor with respect to fringe benefits which is required by paragraph (c) of the clause entitled "Davis-Bacon Act."

(c) The Contractor shall make the records required under this clause available for inspection by authorized representatives of the Contracting Officer and the Department of Labor, and shall permit such representatives to interview employees during working hours on the job.

* * * * *

(g) Subcontracts.

SUBCONTRACTS

The Contractor agrees to insert the clauses hereof entitled "Davis-Bacon Act," "Contract Work Hours Standards Act—Overtime Compensation," "Apprentices," "Payrolls and Basic Records," "Compliance with Copeland Regulations," "Withholding of Funds," "Subcontracts," and "Contract Termination—Debarment" in all subcontracts. The term "Contractor" as used in such clauses in any subcontract shall be deemed to refer to the subcontractor except in the phrase "Government Prime Contractor."

(h) Contract termination—debarment.

CONTRACT TERMINATION—DEBARMENT

A breach of the clauses hereof entitled "Davis-Bacon Act," "Contract Work Hours Standards Act—Overtime Compensation," "Apprentices," "Payrolls and Basic Records," "Compliance with Copeland Regulations," "Withholding of Funds," and "Subcontracts" may be grounds for termination of the contract, and for debarment as provided in 29 CFR 5.6.

4. Section 1–12.403–2 is amended to correct the reference to Subpart 1–12.3. As amended, the section reads as follows:

§ 1–12.403–2 Overseas contracts.

Every construction contract in excess of $2,000 for work outside the United States, but which is nevertheless subject to the Contract Work Hours Standards Act as set forth in § 1–12.302(d), shall include the clause in § 1–12.303. Standard Form 19A should not be used in such contracts (see § 1–16.402).

5. Section 1–12.404–2(e) is amended to reflect the changed rule with respect to modifications of wage determinations. As amended, the section reads as follows:

§ 1–12.404–2 Wage determinations.

* * * * *

(e) *Modifications.* Modifications by the Secretary of Labor of a wage determination shall be made part of the proposed contract if received prior to the award of the contract; provided that, in procurement by formal advertising or by small business restricted advertising, any modification received by the executive agency concerned less than 10 calendar days before the opening of bids shall be disregarded unless it is determined that such modifications reasonably can be furnished to bidders by means of an amendment of the invitation for bids in time to be considered in the preparation of their bids. Copies of modifications received by an agency should be time-date stamped to show the date of receipt by the agency.

* * * * *

6. Section 1–12.404–3 is amended to conform to paragraph (d) of the clause set forth in § 1–12.403–1(a). As amended, the section reads as follows:

§ 1–12.404–3 Additional classifications.

As provided in paragraph (d) of the clause set forth in § 1–12.403–1(a), the contracting officer shall require that any class of laborers or mechanics which is not listed in the wage determination forming a part of the contract, and which is to be employed on the contract work, shall be classified or reclassified conformably to such wage determination, and shall report the action taken to the Secretary of Labor. In the event of disagreement between or among the interested parties as to the proper classification or reclassification, the contracting officer shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

7. Section 1–12.404–4 is amended to conform to the change made in the clause set forth in § 1–12.403–1(c). As amended, the section reads as follows:

§ 1–12.404–4 Apprentices.

As provided in paragraph (b) of the clause set forth in § 1–12.403–1(c), the contractor or subcontractor is required to furnish written evidence of registration of his program and apprentices, as well as of the ratios allowed and the wage rates required to be paid thereunder for the area of construction before using any apprentices on the contract work.

8. Section 1–12.404–10 is amended to provide that agencies may "request" rather than "order" restitution of nonwillful wage underpayments. As amended, the section reads as follows:

§ 1–12.404–10 Restitution.

The contractor or subcontractor may make restitution of amounts due workers at any time. Where wage underpayments are found, the agency shall request that the contractor make, or cause to be made, restitution to employees or to plans, funds, or programs for any type of fringe benefit listed in the applicable wage determination.

PART 1–16—PROCUREMENT FORMS

Subpart 1–16.4—Forms for Advertised Construction Contracts

1. Section 1–16.401(b) is amended to prescribe the April 1965 edition of Standard Form 19–A. As amended, the section reads as follows:

§ 1–16.401 Forms prescribed.

* * * * *

(b) Labor Standards Provisions—Applicable to Contracts in Excess of $2,000 (Standard Form 19–A, April 1965 edition).

* * * * *

2. Section 1–16.402 is amended to reflect the waiver in § 1–12.403–2 of the requirement for use of Standard Form 19–A. As amended, the section reads as follows:

§ 1–16.402 Required use.

Except as provided in § 1–12.403–2, the forms prescribed by § 1–16.401 shall be used for fixed price contracts, entered into pursuant to formal advertising, for construction (including alteration or repair) of public buildings or works, except for: Contracts for the construction, alteration, or repair of vessels; and contracts for construction, alteration, or repair work in foreign countries. Determination as to the form or forms to be used in each instance shall be made in accordance with this §1–16.402.

Subpart 1–16.9—Illustration of Forms

Section 1–16.901–19–A is amended to include a specimen copy of the latest edition of Standard Form 19–A.

§ 1–16.901–19–A Standard Form 19–A: Labor Standards Provisions Applicable to Contracts in Excess of $2,000.

STANDARD FORM 19–A
APRIL 1965 EDITION
GENERAL SERVICES ADMINISTRATION
FPR (41 CFR) 1–16.901

LABOR STANDARDS PROVISIONS
APPLICABLE TO CONTRACTS IN EXCESS OF $2,000

1. DAVIS-BACON ACT (40 U.S.C. 276a–a(7))

(a) All mechanics and laborers employed or working directly upon the site of the work shall be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by the Copeland Regulations (29 CFR, Part 3)), the full amounts due at time of payment computed at wage rates not less than the aggregate of the basic hourly rates and the rates of payments, contributions, or costs for any fringe benefits contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the Contractor or subcontractor and such laborers and mechanics. A copy of such wage determination decision shall be kept posted by the Contractor at the site of the work in a prominent place where it can be easily seen by the workers.

(b) The Contractor may discharge his obligation under this clause to workers in any classification for which the wage determination decision contains:

(1) Only a basic hourly rate of pay, by making payment at not less than such basic hourly rate, except as otherwise provided in the Copeland Regulations (29 CFR, Part 3); or

(2) Both a basic hourly rate of pay and fringe benefits payments, by making payment in cash, by irrevocably making contributions pursuant to a fund, plan, or program for, and/or by assuming an enforceable commitment to bear the cost of, bona fide fringe benefits contemplated by the Davis-Bacon Act, or by any combination thereof. Contributions made, or costs assumed, on other than a weekly basis shall be considered as having been consistently made or assumed during a weekly period to the extent that they apply to such period. Where a fringe benefit is expressed in a wage determination in any manner other than as an hourly rate and the Contractor pays a cash equivalent or provides an alternative fringe benefit, he shall furnish information with his payrolls showing how he determined that the cost incurred to make the cash payment or to provide the alternative fringe benefit is equal to the cost of the wage determination fringe benefit. In any case where the Contractor provides a fringe benefit different from any contained in the wage determination, he shall similarly show how he arrived at the hourly rate shown therefor. In the event of disagreement between or among the interested parties as to an equivalent of any fringe benefit, the Contracting Officer shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

(c) The combination of an enforceable commitment to bear the cost of fringe benefits, or the provision of such benefits, for the benefit of laborers or mechanics which is not listed in section 1(b)(2) of the Davis-Bacon Act in the wage determination decision forming a part of the contract, and the consideration as payment of wages only with respect to such commitment, if the Secretary of Labor pursuant to a written request from the Contracting Officer or Secretary of Labor may require the Contractor to set aside assets in a separate account, to meet his obligations under the unfunded plan or program.

(d) The Contracting Officer shall require that any class of laborers or mechanics which is not listed in the wage determination decision and which is to be employed under the contract shall be classified or reclassified conformably to the wage determination decision, and shall report the action taken to the Secretary of Labor. If the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers or mechanics to be used, the Contracting Officer shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

(e) In the event it is found by the Contracting Officer that any laborer or mechanic employed by the Contractor or any subcontractor directly on the site of the work covered by this contract has been or is being paid at a rate of wages less than the rate of wages required by paragraph (a) of this clause, the Contracting Officer may (1) by written notice to the Government Prime Contractor terminate his right to proceed with the work, or such part of the work as to which there has been a failure to pay said required wages, and (2) prosecute the work to completion by contract or otherwise, whereupon such Contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

(f) Paragraphs (a) through (e) of the clause shall apply to this contract to the extent that it is (1) a prime contract with the Government subject to the Davis-Bacon Act or (2) a subcontract also subject to the Davis-Bacon Act under such prime contract.

2. CONTRACT WORK HOURS STANDARDS ACT—OVERTIME COMPENSATION (40 U.S.C. 327–330)

(a) The Contractor shall not require or permit any laborer or mechanic in any workweek in which he is employed on any work under this contract to work in excess of 8 hours on any calendar day or in excess of 40 hours in such workweek on work subject to the provisions of the Contract Work Hours Standards Act unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all such hours worked in excess of 8 hours on any calendar day or in excess of 40 hours in such workweek, whichever is the greater number of overtime hours. The "basic rate of pay," as used in this clause, shall be the amount paid per hour, exclusive of the Contractor's contribution or cost for fringe benefits and any cash payment made in lieu of providing fringe benefits, or the basic hourly rate contained in the wage determination, whichever is greater.

(b) In the event of any violation of the provisions of paragraph (a), the Contractor shall be liable to any affected employee for any amounts due, and to the United States for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic employed in violation of the provisions of paragraph (a) in the sum of $10 for each calendar day on which such employee was required or permitted to be employed on such work in excess of 8 hours or in excess of the standard workweek of 40 hours without payment of the overtime wages required by paragraph (a).

3. APPRENTICES

(a) Apprentices shall be permitted to work as such only when they are registered, individually, under a bona fide apprenticeship program registered with a State apprenticeship agency which is recognized by the Bureau of Apprenticeship and Training, U.S. Department of Labor; or, if no such recognized agency exists in a State, under a program registered with the aforesaid Bureau of Apprenticeship and Training. The allowable ratio of apprentices to journeymen on any craft classification shall be not greater than the ratio permitted to the Contractor as to his entire work force under the registered program. Any employee listed on a payroll at an apprentice wage rate, who is not registered as above, shall be paid the wage rate determined by the Secretary of Labor for the classification of work he actually performed.

(b) The Contractor shall furnish written evidence of the registration of his program and apprentices as well as of the ratios allowed and the wage rates required to be paid thereunder for the area of construction, prior to using any apprentices in the contract work.

4. PAYROLLS AND BASIC RECORDS

(a) The Contractor shall maintain payrolls and basic records relating thereto during the course of the work and shall preserve them for a period of 3 years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name and address of each such employee, his correct classification, rate of pay (including rate of contributions for, or costs assumed to provide, fringe benefits), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Contractor has obtained approval from the Secretary of Labor as provided in paragraph (c) of the clause entitled "Davis-Bacon Act," he shall maintain records which show that the commitment, its approval, written communication of the plan or program to the laborers or mechanics affected, and the costs anticipated or incurred under the plan or program.

(b) The Contractor shall submit weekly a copy of all payrolls to the Contracting Officer. The Government Prime Contractor shall be responsible for the submission of copies of payrolls of all subcontractors. Each copy shall be accompanied by a statement signed by the Contractor indicating that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor, and that the classifications set forth for each laborer or mechanic conform with the work he performed. Submission of the "Weekly Statement of Compliance" required under this contract and the Copeland Regulations of the Secretary of Labor (29 CFR, Part 3) shall satisfy the requirement for submission of the above statement. The Contractor shall submit also a copy of any approval by the Secretary of Labor with respect to fringe benefits which is required by paragraph (c) of the clause entitled "Davis-Bacon Act."

(c) The Contractor shall make the records required under this clause available for inspection by authorized representatives of the Contracting Officer and the Department of Labor, and shall permit such representatives to interview employees during working hours on the job.

5. COMPLIANCE WITH COPELAND REGULATIONS

The Contractor shall comply with the Copeland Regulations of the Secretary of Labor (29 CFR, Part 3) which are incorporated herein by reference.

6. WITHHOLDING OF FUNDS

(a) The Contracting Officer may withhold or cause to be withheld from the Government Prime Contractor so much of the accrued payments or advances as may be considered necessary (1) to pay laborers and mechanics employed by the Contractor or any subcontractor on the work the full amount of wages required by the contract, and (2) to satisfy any liability of any Contractor for liquidated damages under the clause hereof entitled "Contract Work Hours Standards Act—Overtime Compensation."

(b) If any Contractor fails to pay any laborer or mechanic employed or working on the site of the work, all or part of the wages required by the contract, the Contracting Officer may, after written notice to the Government Prime Contractor, take such action as may be necessary to cause suspension of any further payments or advances until such violations have ceased.

7. SUBCONTRACTS

The Contractor agrees to insert the clauses hereof entitled "Davis-Bacon Act," "Contract Work Hours Standards Act—Overtime Compensation," "Apprentices," "Payrolls and Basic Records," "Compliance With Copeland Regulations," "Withholding of Funds," "Subcontracts," and "Contract Termination—Debarment" in all subcontracts. The terms "Contractor" as used in such clauses in any subcontract shall be deemed to refer to the subcontractor except in the phrase "Government Prime Contractor."

8. CONTRACT TERMINATION—DEBARMENT

A breach of the clauses hereof entitled "Davis-Bacon Act," "Contract Work Hours Standards Act—Overtime Compensation," "Apprentices," "Payrolls and Basic Records," "Compliance With Copeland Regulations," "Withholding of Funds," and "Subcontracts" may be grounds for termination of the contract, and for debarment as provided in 29 CFR 5.6.

19–204 ☆ U.S. GOVERNMENT PRINTING OFFICE : 1965—O-759-154 #100-4

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective July 1, 1965, but may be observed earlier. The revised Standard Form 19–A shall be used in invitations for bids issued on and after November 1, 1965, but may be used as soon as available from General Services Administration supply depots. Since it is not expected that the April 1965 edition of Standard Form 19–A will be available by the effective date of these regulations, agencies shall appropriately amend the present form for use in invitations for bids issued on and after July 1, 1965.

Dated: May 21, 1965.

LAWSON B. KNOTT, JR.,
Acting Administrator of General Services.

[F.R. Doc. 65–5616; Filed, May 27, 1965; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 993]

[Docket No. AO 201-A5]

DRIED PRUNES PRODUCED IN CALIFORNIA

Notice of Extension of Time for Filing Written Exceptions to Recommended Decision on Proposed Amendment of Marketing Agreement, as Amended, and Order, as Amended

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time fixed in the recommended decision dated May 14, 1965 (30 F.R. 6782), with respect to proposed amendment of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California, for filing written exceptions to such decision is hereby extended to and including June 17, 1965. Request for a reasonable extension of time has been made so as to afford interested persons additional time to consider the recommended amendatory action.

Dated: May 25, 1965.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 65-5599; Filed, May 27, 1965; 8:47 a.m.]

[7 CFR Part 1004]

MILK IN DELAWARE VALLEY MARKETING AREA

Notice of Public Meeting To Permit Interested Parties Opportunity To Present Data, Views, and Arguments on Proposed Termination of Order

On May 19, 1965 (30 F.R. 6947), the Assistant Secretary of Agriculture issued a notice of proposed termination of the Delaware Valley milk marketing order and interested parties were given until June 11, 1965 (20 days after publication in the FEDERAL REGISTER), in which to submit written data, views, or arguments in connection with the proposed termination.

Following publication of such notice, certain interested parties requested opportunity for submission of oral data, views, and argument. It is concluded that interested parties should be given the opportunity to express their views either written or orally. Accordingly, pursuant to the provisions of section 4(b) of the Administrative Procedure Act with respect to informal rule making (5 U.S.C. 1001 et seq.), notice is hereby given of a public meeting to be held in the South Roof Conference Room, Hotel Adelphia, 13th and Chestnut Streets, Philadelphia, Pa., beginning at 10 a.m., e.d.t., June 8, 1965, at which data, views, or arguments may be presented in favor or against the question of whether Federal Order No. 4, in its present form should or should not be terminated.

Such data, views, and arguments shall be presented by means of statements not under oath. Cross-examination will not be permitted. Statistical tables, maps, charts, or other documentary exhibits shall be supplied in quadruplicate by the person offering the exhibit.

Persons not wishing to present their data, views, and arguments at this meeting may file written data, views, and argument in the matter in accordance with the initial notice issued on May 19, 1965.

Signed at Washington, D.C., on May 25, 1965.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 65-5619; Filed, May 27, 1965; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Patent Office

[37 CFR Part 1]

RULES OF PRACTICE IN PATENT CASES

Accessibility of Assignment Records

Notice is hereby given that the U.S. Patent Office proposes to amend one of its rules relating to records and files of the Patent Office. The amendment is proposed pursuant to the authority contained in Title 35, U.S. Code, section 6.

All persons who desire to present their views, objections, recommendations, or suggestions are invited to do so on or before June 29, 1965, on which date a hearing will be held at 10 a.m., in Room 3886B of the Department of Commerce Building. All persons wishing to be heard orally are requested to notify the Commissioner of Patents of their intended appearance.

The proposed amendment is for the purpose of limiting public accessibility to the assignment records of the Patent Office relating to patents only, and to keep confidential the assignment records relating to pending and abandoned applications. The proposed amendment will apply only to assignments recorded after the date the amendment becomes effective. Assignments recorded prior to that date together with the indexes and digests relating to them will continue to be open to public inspection as provided for by Rule 12 prior to amendment.

Section 1.12 of Title 37 CFR (Patent Rule 12), is proposed to be amended by adding the words "relating to original or reissue patents" after "records" in the first sentence thereof, and by adding the following as the second and third sentences: "Assignment records, digests, and indexes, relating to any pending or abandoned application are not available to the public. Copies of any such assignment records and information with respect thereto shall be obtainable only upon written authority of the applicant or his assignee or attorney or agent or upon a showing that the person seeking such information is a bona fide prospective or actual purchaser, mortgagee or licensee of such application, unless it shall be necessary to the proper conduct of business before the Office or as provided by the rules of this part."

The text of the proposed rule, as amended, reads as follows:

§ 1.12 Assignment records open to public inspection.

The assignment records, relating to original or reissue patents, including digests and indexes, are open to public inspection and copies of any instrument recorded may be obtained upon payment of the fee therefor. Assignment records, digests, and indexes, relating to any pending or abandoned application are not available to the public. Copies of any such assignment records and information with respect thereto shall be obtainable only upon written authority of the applicant or his assignee or attorney or agent or upon a showing that the person seeking such information is a bona fide prospective or actual purchaser, mortgagee, or licensee of such application, unless it shall be necessary to the proper conduct of business before the Office or as provided by the rules of this part. An order for a copy of an assignment should give the identification of the record. If identified only by the name of the patentee and number of the patent, or in the case of a trademark registration by the name of the registrant and number of the registration, or by name of the applicant and serial number of the application, an extra charge will be made for the time consumed in making a search for such assignment.

(Sec. 1, 66 Stat. 793, 35 U.S.C. 6)

EDWARD J. BRENNER,
Commissioner of Patents.

Approved: May 26, 1965.

J. HERBERT HOLLOMON,
Assistant Secretary for Science and Technology.

[F.R. Doc. 65-5654; Filed, May 27, 1965; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-CE-39]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration; Supplemental Notice

The Federal Aviation Agency is considering a revised proposal with respect to the alteration of controlled airspace in the Marion, Ill., terminal area.

In the notice of proposed rule making published in the FEDERAL REGISTER on April 10, 1965 (30 F.R. 4680), the Federal Aviation Agency proposed, in part, to redesignate the Marion, Ill., transition area as:

That airspace extending upward from 700 feet above the surface bounded by a line beginning E of Marion, Ill., at latitude 37°-43'00" N., longitude 88°52'00" W., thence SW to latitude 37°32'50" N., longitude 88°-59'00" W., thence NW to latitude 37°43'00" N., longitude 89°22'25" W., thence N to latitude 37°54'10" N., longitude 89°28'20" W., thence E to latitude 37°58'45" N., longitude 89°13'10" W., thence E to latitude 37°54'30" N., longitude 88°52'00" W., thence S to the beginning.

Subsequent to the publication of the notice of proposed rule making, it has been determined that it is necessary to change the procedure turn for the proposed TerVOR-20 approach procedure from the W side to the E side of the final approach course. This change will permit the realignment of the ADF approach to Carbondale which will provide straight-in approach minimums to Runway 18.

Accordingly, the notice is amended to propose that the Marion, Ill., transition area be redesignated as:

That airspace extending upward from 700 feet above the surface bounded by a line beginning NE of Marion, Ill., at latitude 37°-53'40" N., longitude 88°48'35" W., thence W to latitude 37°56'25" N., longitude 89°02'40" W., thence W to latitude 37°58'45" N., longitude 89°20'25" W., thence S to latitude 37°48'30" N., longitude 89°23'50" W., thence S along longitude 89°23'50" W., to latitude 37°43'30" N., thence SE to latitude 37°32'50" N., longitude 88°59'05" W., thence NE to latitude 37°42'35" N., longitude 88°52'15" W., thence N to the point of beginning.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 18, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5584; Filed, May 27, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-WE-20]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Riverside, Calif., transition area.

Instrument departure procedures have recently been developed for Hemet-Ryan Airport, Hemet, Calif., and that portion of the Riverside, Calif., transition area with a floor of 700 feet above the surface does not provide adequate controlled airspace for aircraft operating at Hemet-Ryan Airport.

To provide protection for aircraft executing prescribed instrument procedures at Hemet-Ryan Airport, the Federal Aviation Agency proposes to alter the Riverside, Calif., transition area to encompass the Hemet-Ryan Airport.

If the action proposed herein is taken, the Riverside, Calif., transition area would be amended as follows:

That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 34°10'00" N., longitude 117°59'00" W., to latitude 34°10'00" N., longitude 117°01'00" W., to latitude 33°-50'00" N., longitude 117°01'00" W., to latitude 33°42'30" N., longitude 116°56'30" W., to latitude 33°38'00" N., longitude 117°09'-00" W., to latitude 33°56'00" N., longitude 117°30'00" W., to latitude 33°56'00" N., longitude 117°59'00" W.; thence to point of beginning; and that airspace extending upward from 1,200 feet above the surface, bounded by a line beginning at latitude 34°-30'00" N., longitude 117°43'00" W., thence E along latitude 34°30'00" N., to the SE boundary of V-21, thence along the SE boundary of V-21 to longitude 116°30'00" W., thence direct to latitude 34°40'30" N., longitude 116°29'40" W., to latitude 34°-30'00" N., longitude 116°26'30" W., to latitude 34°16'00" N., longitude 116°18'00" W., to latitude 33°30'00" N., longitude 116°18'-00" W., to latitude 33°30'00" N., longitude 117°30'00" W., to latitude 33°39'00" N., longitude 117°30'00" W., to latitude 33°46'00" N., longitude 117°45'00" W., to latitude 33°-56'00" N., longitude 117°53'00" W., to latitude 33°56'00" N., longitude 117°59'00" W., to latitude 34°10'00" N., longitude 117°59'00" W., to latitude 34°10'00" N., longitude 117°-43'00" W., thence to point of beginning.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on May 20, 1965.

WM. SLADE HARDEE,
Acting Director, Western Region.

[F.R. Doc. 65-5585; Filed, May 27, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-CE-64]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations to alter controlled airspace in the Missoula, Mont., terminal area.

The Missoula, Mont., transition area is presently designated as that airspace extending upward from 700 feet above the surface within 2 miles each side of the Missoula VOR 308° radial extending from 4 miles NW to 12 miles NW of the VOR and within 2 miles each side of the Missoula VOR 298° radial extending from 4 miles NW to 9 miles NW of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of the Missoula VOR, bounded on the SW by the SW boundary of V-2, and on the E by the E boundary of V-231; within 10 miles SW and 7 miles NE of the Missoula VOR 298° and 118° radials, extending from 9 miles SE to 20 miles NW of the VOR, and within 5 miles each side of the Missoula VOR 180° radial, extending from the VOR to 12 miles S of the VOR.

The Federal Aviation Agency, having completed a comprehensive review of the

terminal airspace structural requirements in the Missoula, Mont., terminal area, as a result of the recent cancellation of the jet penetration procedure for the Missoula County Airport, proposes the following airspace action:

Redesignate the Missoula, Mont., transition area to comprise that airspace extending upward from 700 feet above the surface within 5 miles NE and 8 miles SW of the Missoula VOR 302° and 122° radials, extending from 5 miles SE to 19 miles NW of the VOR; and that airspace extending upward from 1,200 feet above the surface within 8 miles SW and 9 miles NE of the Missoula VOR 298° and 118° radials, extending from 7 miles SE to 16 miles NW of the VOR.

The floors of the airways that would traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

The proposed transition area will provide protection for aircraft executing prescribed instrument approach and departure procedures at the Missoula County Airport. It will also provide controlled airspace protection for aircraft holding at the Missoula VOR and radio beacon. The proposed action requires no changes or revisions to prescribed instrument procedures presently in effect.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on May 19, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-5586; Filed, May 27, 1965; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 15987]

FM BROADCAST STATIONS

Table of Assignments; Notice Extending Time To File Comments

1. On April 30, 1965, the Commission issued a notice of proposed rule making in the above-entitled matter which specified that comments were to be filed on or before May 28, 1965, and reply comments on or before June 11, 1965. Central Virginia Broadcasting Co., licensee of Station WMNA-FM, Gretna, Va., and a party affected by the proposed amendment of the FM Table of Assignments, has requested an extension of time for the filing of comments from May 28, 1965, to August 27, 1965, and for filing reply comments from June 11, 1965, to September 10, 1965. Central states that it plans to make engineering studies with respect to possible FM assignments in the Gretna and Danville areas and to present detailed data showing the need of Station WMNA-FM for broad area coverage. It further states that the additional time is needed for the studies in depth which it plans to file.

2. The Commission is of the view that an extension of time is warranted in this case. It believes, however, that 2 months should be sufficient time in which to prepare the studies suggested by petitioner, rather than the 3 months requested. Accordingly, notice is hereby given that the time for filing comments in this proceeding is extended to July 26, 1965, and for reply comments to August 27, 1965.

3. This action is taken pursuant to the authority contained in sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules and regulations.

Adopted: May 24, 1965.

Released: May 25, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5610; Filed, May 27, 1965; 8:48 a.m.]

[47 CFR Part 73]

[Docket No. 11279; FCC 65M-666]

SUBSCRIPTION TELEVISION SERVICE

Order Extending Time for Filing Responses to Joint Petition for Further Rule Making

Zenith Radio Corp. and Teco, Inc., participants in the Hartford trial subscription television operation, filed a joint petition for further rule making in the above-captioned proceeding on March 10, 1965. Under § 1.405 of the rules, the time for filing statements responsive to the petition would normally have been April 26, 1965, but in response to petitions requesting extensions of time filed by the Joint Committee on Toll TV and the International Telemeter Corp., the date was extended to May 26, 1965, and the date for filing replies was extended from May 11 to June 10, 1965.

The National Association of Broadcasters (NAB) on May 14, 1965, filed a petition asking that the dates be further extended from May 26 to July 14, 1965, and from June 10 to July 29, 1965, respectively. As reason therefor, it is stressed that the proposals in the joint petition are of great importance to the broadcasting industry, that the Board of Directors of the NAB wishes to make a thorough study of the problems involved and will discuss the matter at its semiannual meeting on June 23-26, 1965, and that the results of its evaluation will be beneficial to the Commission in its treatment of the subject.

Zenith and Teco on May 17, 1965, filed an opposition to the NAB petition. They urge, among other things, that good cause has not been shown for granting an extension, that to grant an extension would only serve to delay the administrative process, and that the NAB will have ample opportunity to file comments after a notice of further rule making is issued.

We believe that, considering the nature and complexity of the problems involved, comments of the NAB would prove helpful at this stage of the proceeding, and an extension should be granted.

Accordingly, on this 25th day of May 1965: *It is ordered*, That the "Petition for Further Extension of Time for Filing Responses to Joint Petition for Further Rule Making" filed by the National Association of Broadcasters on May 14, 1965, is granted; and that the time in which to file statements responsive to the "Joint Petition of Zenith Radio Corp. and Teco, Inc. for Further Rule Making to Authorize Nationwide Subscription Television" is extended from May 26, 1965, to and including July 14, 1965, and the time for filing replies is extended from June 10, 1965, to and including July 29, 1965.

Released: May 25, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5611; Filed, May 27, 1965; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Antidumping—AA 643.3-m]

WELDED WIRE MESH FROM BELGIUM

Notice of Tentative Determination

MAY 20, 1965.

Information was received on July 13, 1964, that welded wire mesh for concrete reinforcement imported from Belgium was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

I hereby make a tentative determination that welded wire mesh for concrete reinforcement imported from Belgium is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. The principal Belgian exporters of the welded wire mesh for concrete reinforcement were included in the inquiry made covering the period under consideration. Sales for exportation to the United States were in some instances made to firms not related to the seller within the meaning of section 207 of the Antidumping Act. In other instances such a relationship existed. Sales in the home market were sufficient in quantity to afford a proper basis of comparison. Purchase price or exporter's sales price, as applicable, were therefore compared for fair value purposes with adjusted home market price of the welded wire mesh for concrete reinforcement similar to the welded wire mesh for concrete reinforcement sold for exportation to the United States.

Purchase price was calculated on the basis of the manufacturers' ex-mill selling prices for exportation to the United States. Exporter's sales price with respect to the one manufacturer to whom this basis applied, was based on the resale price in the United States which was the same as the ex-mill price including an export selling commission, since all costs and charges accruing from the Belgian mill to the ultimate customers in the United States are to the account of the ultimate purchaser in the United States. The selling commission applicable to all sales to related parties was deducted from the selling price to the related importer in the United States in calculating exporter's sales price. In those instances where sales for exportation to the United States were made on an f.o.b. port of export basis, the included inland freight and loading charges were deducted from such sales prices.

In all cases, sales for home consumption were made on a delivered customer's premises basis. The included delivery charges accruing from the mill to the customer's premises were deducted, therefore, from the home market selling prices to reduce such prices to an ex-mill basis.

In one instance, sales for home consumption were to a consumer category of purchaser whereas those made for exportation to the United States were to a reseller level of sale. A reasonable reduction from home market price was made in this instance to compare the home market price with the price at the commensurate export sales level. Selling expenses were deducted from the home market sales price in an amount not to exceed the amount of the selling commission deducted in computing exporter's sales price. A cash discount applying to one exporter's home market transactions was deducted from the involved home market sales price.

Almost all home market sales comprise many varieties of welded wire mesh panels and mats which incur greater production costs than the two sizes of rolled welded wire mesh exported to the United States. Due allowance was made, therefore, to reduce home market price for this production cost differential.

It was found that there had been some sales at less than adjusted home market price during the early part of the period under consideration. Subsequent changes in market prices since that time have eliminated this condition indicating no likelihood of further sales at less than fair value. The quantities thus sold and the differences in price were deemed to be not more than insignificant.

The complaint was withdrawn as of April 9, 1965.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any other reason the tentative determination is in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C., 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 14.8(a) of the Customs Regulations (19 CFR 14.8(a)).

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[F.R. Doc. 65-5602; Filed, May 27, 1965; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order 2508; Amdt. 66]

COMMISSIONER OF INDIAN AFFAIRS

Delegation of Authority

MAY 20, 1965.

Section 13y of Order No. 2508 is amended to read as follows:

SEC. 13. *Lands and Minerals.* The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

* * * * *

(y) The approval of orders to change designation of homestead and approval of instruments vesting title, pursuant to the provisions of 25 CFR Part 127; and approval of deeds executed pursuant to orders of the courts of the State of Oklahoma in actions instituted under section 3 of the Act of April 18, 1912 (37 Stat. 86), as supplemented by section 5 of the Act of March 2, 1929 (45 Stat. 1478).

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 65-5596; Filed, May 27, 1965; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 2]

PRICE SUPPORT PROGRAMS

1964 and Subsequent Crops; Announcement of Interest Rate

The announcement issued by the Commodity Credit Corporation published in 29 F.R. 4109, as amended at 29 F.R. 11133, of the rate of interest applicable to price support programs on 1964 and subsequent crops or production, is hereby further amended effective with respect to price support programs on 1965 and subsequent crops or production to include in section (1) thereof Form A loans on cotton.

Section (1) is amended to read as follows:

(1) Loans on barley, corn, dry edible beans, flaxseed, grain sorghums, honey, oats, farm-stored peanuts, rice, rye, soybeans, tung oil, and wheat, and Form A loans on cotton shall bear interest at the rate of 30 cents per $100.00 (fractions disregarded) for each calendar month or fraction thereof that the loan is outstanding, excluding the calendar month of repayment.

Signed at Washington, D.C., on May 25, 1965.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 65-5620; Filed, May 27, 1965; 8:49 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NBS RADIO STATIONS

Notice of U.S. Standard Frequency and Time Broadcasts

In accordance with National Bureau of Standards policy of giving monthly notices regarding changes in phases of seconds pulses, notice is hereby given that an adjustment will be made in the phase of time signals from radio station WMVB, Fort Collins, Colo. On 1 July 1965, the clock at the station will be retarded by 200 ms at 00h00m UT (7:00 p.m., e.s.t., of 30 June). The successive time pulses emitted from station WMVB are one second apart. The carrier frequency of WMVB is 60 kHz, and is broadcast without offset.

An adjustment in the phases of time signals emitted from radio stations WMV, Greenbelt, Md., and WWVH, Maui, Hawaii, is also announced by the National Bureau of Standards. On 1 July 1965, the pulses from these stations will be retarded by 100 ms at 00h00m UT (7:00 p.m., e.s.t., of 30 June) in accordance with an announcement made by the Bureau International de l'Heure (BIH). These pulses at present occur at intervals which are longer than one second by 150 parts of 10^{10}, due to the offset maintained in carrier frequencies, as coordinated by the BIH.

The phase adjustments ensure that the emitted pulses from all stations will remain within about 100 ms of the UT2 scale. They are made necessary because of changes in the speed of rotation of the earth with which the UT2 scale is associated. Daily UT2 information is obtained from weekly forecasts of UT2 provided by the U.S. Naval Observatory in accordance with the close cooperation maintained between the two agencies.

A. V. Astin,
Director.

[F.R. Doc. 65-5600; Filed, May 27, 1965; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

DRUGS USED IN ANIMAL FEEDS AND IN TREATMENT OF FOOD-PRODUCING ANIMALS

Request for Residue Data and Other Data To Clarify Status Under Section 409 of the Federal Food, Drug, and Cosmetic Act

The Food and Drug Administration is reviewing all drugs now being administered to food-producing animals in accordance with sanctions granted prior to enactment of the food additives amendments to the Federal Food, Drug, and Cosmetic Act. Such prior sanctions were based in part on the condition that no residues of the additives or their metabolites would be found in the edible tissues or products of animals treated with such additives. This review is part of the continuing assessment of earlier decisions to insure that more recent scientific developments and knowledge do not necessitate modifications in the status of any substance subject to the act.

The Commissioner of Food and Drugs desires to be sure that the reevaluation is based on all scientific evidence that has been accumulated about these drugs as used in food-producing animal products. In addition to data available to or being obtained by the Food and Drug Administration, there may be a substantial amount of pertinent data not previously submitted to the Commissioner.

Therefore, manufacturers of such drugs and other interested parties are invited to submit any scientific data not previously submitted concerning tissue residue studies and methods of determining such residues. The drugs currently under study are as follows, either used alone or in combination with antibiotic drugs listed in §§ 144.25 and 144.26.

2-Amino-5-nitrothiazole.
Cadmium anthranilate.
Cadmium oxide.
Di-*n*-butyltin dilaurate.
2,2' - Dihydroxy - 5-5' - dichlorodiphenylmethane.
Furazolidone, in poultry.
Nitrofurazone, in poultry and swine.
Nitrophenide, in poultry.
Piperazine dihydrochloride.
Piperazine monohydrochloride.
Piperazine phosphate monohydrate.
Piperazine sulfate.
Sulfaquinoxaline.

Since the public interest requires that a decision in this matter be made at an early date, any person having data of the kind requested is invited to submit them promptly, and in any case within a period of 90 days from the date of the publication of this notice in the Federal Register. Written data, comments, suggestions, or inquiries should be submitted, preferably in quintuplicate, to the Petitions Control Branch, Bureau of Scientific Standards and Evaluation, Food and Drug Administration, Washington, D.C., 20204.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: May 24, 1965.

Geo. P. Larrick,
Commissioner of Food and Drugs.

[F.R. Doc. 65-5608; Filed, May 27, 1965; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-231]

GENERAL ELECTRIC CO. AND SOUTHWEST ATOMIC ENERGY ASSOCIATES

Notice of Hearing on Application for Provisional Construction Permit

Pursuant to Atomic Energy Act of 1954, as amended, and the regulations in Title 10, CFR, Part 50, "Licensing of Production and Utilization Facilities", and Part 2, "Rules of Practice", notice is hereby given that a hearing will be held on June 29, 1965, at 10 a.m., local time, in the Washington County Courthouse, College and Center Avenues, Fayetteville, Ark., to consider the application filed under section 104(b) of the Act by General Electric Co., 175 Curtner Avenue, San Jose, Calif., and Southwest Atomic Energy Associates, 306 Pyramid Building, Little Rock, Ark., for a provisional construction permit for a fast oxide reactor designed to operate at 20 megawatts (thermal) to be located at Cove Creek, Washington County, Ark.

The hearing will be conducted by the atomic safety and licensing board designated by the Atomic Energy Commission, consisting of Dr. Thomas H. Pigford, Berkeley, Calif.; Dr. Dixon Callihan, Oak Ridge, Tenn.; and Mr. J. D. Bond, Chairman, Washington, D.C.

The following issues will be considered at the hearing:

1. Whether in accordance with the provisions of 10 CFR 50.35(a)—

(1) The applicants have described the proposed design of the facility, including, but not limited to, the principal architectural and engineering criteria for the design, and have identified the major features or components on which further technical information is required;

(2) The omitted technical information will be supplied;

(3) The applicants have proposed, and there will be conducted, a research and development program reasonably designed to resolve the safety questions, if any, with respect to those features or components which require research and development; and

(4) On the basis of the foregoing, there is a reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility and (ii) taking into consideration the site criteria contained in Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicants collectively are technically qualified to design and construct the proposed facility;

3. Whether the applicants are financially qualified to design and construct the proposed facility;

4. Whether the issuance of a permit for the construction of the facility will be inimical to the common defense and security or to the health and safety of the public.

The application and the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS) are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of the ACRS report may be obtained by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C., 20545.

Petitions for leave to intervene, pursuant to the provisions of § 2.714 of the Commission's "Rules of Practice", must be received in the Office of the Secretary, U.S. Atomic Energy Commission, Germantown, Md., or in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than

June 14, 1965, or in the event of a postponement of the specified hearing date, at such time as the Board may specify.

Any person who wishes to make an oral or written statement setting forth his position on the issues specified, but who does not wish to file a petition to intervene, may request permission to make a limited appearance pursuant to the provisions of § 2.715 of the Commission's "Rules of Practice". Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, by June 14, 1965.

Answers to this notice, pursuant to the provisions of § 2.705 of the Commission's "Rules of Practice", must be filed by the applicants on or before June 14, 1965.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C., 20545, or may be filed by delivery to the Office of the Secretary, U.S. Atomic Energy Commission, Germantown, Md., or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Board, parties are required to file, pursuant to the provisions of § 2.708 of the Commission's "Rules of Practice", an original and 20 conformed copies of each such paper with the Commission.

Dated at Washington, D.C., this 26th day of May 1965.

UNITED STATES ATOMIC ENERGY COMMISSION,
W. B. McCOOL,
Secretary to the Commission.

[F.R. Doc. 65-5646; Filed, May 27, 1965; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-22203]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority May 24, 1965.

Agreement adopted by Joint Conference 3-1 of the International Air Transport Association relating to specific commodity rates, Docket 15353; Agreement C.A.B. 18169, R-14.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 3-1, of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotected notices to the carriers and promulgated in IATA Status Report No. 18, names a rate under a new specific commodity description as set forth below.

Item 0640—Poultry or Game, 34 cents per kg., minimum weight 500 kgs., West Coast to Papeete.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement CAB 18169, R-14, be approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this Order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this Order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 65-5621; Filed, May 27, 1965; 8:49 a.m.]

[Docket No. 15353; Order E-22212]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Rate Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of May 1965.

Agreement adopted by Traffic Conference 2 and Joint Conferences 1-2, 2-3, and 3-1 of the International Air Transport Association relating to rate matters; Docket 15353, Agreement CAB 18329.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 2 and Joint Conferences 1-2, 2-3, and 3-1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

The agreement amends Resolutions 552, 554a, 554b, 554c, 555, and 590, so as to common rate both general and specific commodity rates to and from Billund, Odense, and Sonderborg with rates to and from Copenhagen.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board does not find the following resolutions, which are incorporated in the above-described agreement, to be adverse to the public interest or in violation of the Act:

200(Mail 528)552.
JT23(Mail 136)555.
JT12(Mail 398)554a.
JT12(Mail 398)554b.
JT12(Mail 398)554c.
JT12(Mail 398)590.
JT23(Mail 136)590.
JT31(Mail 102)590.
JT123(Mail 398)590.

2. The Board finds that, based on facts presently known, Resolution 200(Mail 528)590 incorporated in the above-described agreement does not affect air transportation within the meaning of the Act.

Accordingly, it is ordered, That:

1. That portion of Agreement CAB 18329 as set forth in finding paragraph 1 is approved; and

2. Jurisdiction is disclaimed with respect to that portion of Agreement CAB 18329 as set forth in finding paragraph 2.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 65-5622; Filed, May 27, 1965; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15973, 15974; FCC 65M-650]

DIXIE BROADCASTING CO., INC., AND TUPELO BROADCASTING CO., INC.

Order Following Prehearing Conference

In re applications of Dixie Broadcasting Co., Inc., Tupelo, Miss., Docket No. 15973, File No. BPH-4423; Tupelo Broadcasting Co., Inc., Tupelo, Miss., Docket No. 15974, File No. BPH-4461; for construction permits.

It appearing that at a prehearing conference held this date procedural arrangements were made which should be formalized by issuance of an appropriate order:

Accordingly, it is ordered, This 24th day of May 1965, as follows:

(1) The direct cases of the applicants should be presented in the form of sworn written exhibits;

(2) There will be a preliminary exchange of applicants' proposed exhibits relating to Issue 1 (engineering) by July 9, 1965;

(3) There will be a final exchange of applicants' proposed exhibits re Issue 1 by July 23, 1965;

(4) The proposed exhibits bearing on the standard comparative issue shall be exchanged by July 23, 1965;

(5) Notification as to witnesses required to be present at the hearing for cross-examination shall be given by August 10, 1965; and

(6) The hearing heretofore scheduled for June 29, 1965 is postponed to Sep-

tember 8, 1965, at 10 a.m., in the offices of the Commission at Washington, D.C.

Released: May 24, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5613; Filed, May 27, 1965; 8:49 a.m.]

[Docket Nos. 15975, 15976; FCC 65M-652]

REGIONAL BROADCASTING CORP. AND EVERGREEN ENTERPRISES, INC.

Order Continuing Prehearing Conference

In re applications of Regional Broadcasting Corp., Loveland, Colo., Docket No. 15975, File No. BPH-4708; Evergreen Enterprises, Inc., Loveland, Colo., Docket No. 15976, File No. BPH-4779; for construction permits.

It is ordered, This 24th day of May 1965, because of the illness of the presiding Hearing Examiner, that the prehearing conference in the above-entitled proceeding which heretofore was scheduled to commence May 26, 1965, is continued to June 4, 1965, at 9 a.m., in the offices of the Commission, Washington, D.C.

Released: May 24, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5614; Filed, May 27, 1965; 8:49 a.m.]

[Canadian List 200]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections

MAY 18, 1965.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CHOT (assignment of call letters).	Edmonton, Alberta	*1110 kilocycles* 10 kw	DA-N	U	II	
CJAV (now in operation with increased daytime power).	Port Alberni, British Columbia.	*1240 kilocycles* 1 kwD/0.25 kwN.	ND	U	IV	
CKSL (delete assignment—vide 1410 kilocycles).	London, Ontario	*1290 kilocycles* 5 kw	DA-1	U	III	
New	London, Ontario	*1290 kilocycles* 5 kw	DA-1	U	III	EIO. 5-15-66.
CKOX (now in operation with increased daytime power).	Woodstock, Ontario	*1340 kilocycles* 1 kwD/0.25 kwN.	DA-D / ND-N	U	IV	
CKSL (now in operation on new frequency with increased power).	London, Ontario	*1410 kilocycles* 10 kw	DA-2	U	III	

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5612; Filed, May 27, 1965; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

DELTA STEAMSHIP LINES, INC., AND LYKES BROS. STEAMSHIP CO., INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. W. J. Amoss, Jr., Vice President, Traffic, Lykes Bros. Steamship Co., Inc., New Orleans, La.

Agreement 9452, between Delta Steamship Lines, Inc., and Lykes Bros. Steamship Co., Inc., provides that "Delta" appoints "Lykes" as its agent at certain U.S. Gulf ports, which appointment "Lykes" accepts. "Lykes" will perform all acts and functions designated in the agreement at the rates of compensation named therein.

Dated: May 21, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 65-5606; Filed, May 27, 1965; 8:48 a.m.]

MOORE-McCORMACK LINES, INC., AND FARRELL LINES, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. J. D. Straton, Jr., Moore-McCormack Lines, Inc., 2 Broadway, New York, N.Y., 10004.

Agreement 9454 between Moore-McCormack Lines, Inc., and Farrell Lines, Inc., establishes a through billing arrangement in the trade from U.S. Atlantic Coast ports to ports in Tanzania and Kenya, East Africa, with tranship-

ment at Portuguese East African and Republic of South African ports, in accordance with terms and conditions set forth in the agreement.

Dated: May 21, 1965.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 65-5607; Filed, May 27, 1965; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2511]

COLORADO RIVER WATER CONSERVATION DISTRICT

Notice of Application for Preliminary Permit for Proposed Project

MAY 21, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by The Colorado River Water Conservation District (correspondence to: Philip P. Smith, Secretary-Engineer, The Colorado River Water Conservation District, Post Office Box 239, Glenwood Springs, Colo.), for a preliminary permit for proposed Project No. 2511, to be known as the Red Cliff Project, to be located on the Eagle River and its tributaries, Homestake Creek, Peterson Creek, and Fall Creek in Eagle County, Colo., near the towns of Red Cliff and Gilman, and affecting lands of the United States within White River National Forest.

The proposed project would be a combination water storage and hydroelectric development and, as described in the application, would consist of: (1) An earth and rockfill dam (about 1,000 feet long and 190 feet high) located on Homestake Creek which dam would create; (2) a reservoir about 750 acres in area with a capacity of 53,000 acre-feet; (3) a feeder canal some 9,000 feet long to convey water from a headgate on the Eagle River to said reservoir; (4) a power conduit 6 feet in diameter extending about 19,000 feet to; (5) a penstock 13,500 feet long leading to; (6) a powerplant with proposed installed capacity of 16,000 kw; (7) feeder conduits to convey water to the power conduit from intake structures on Peterson Creek and Fall Creek; (8) a reregulating reservoir with a capacity of about 3,000 acre-feet; and (9) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the Rules of Practice and Procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 19, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5589; Filed, May 27, 1965; 8:47 a.m.]

[Docket No. CP65-361]

DONNELL CO.

Notice of Application

MAY 21, 1965.

Take notice that on May 13, 1965, The Donnell Co. (Applicant), Post Office Box 235, Denham Springs, La., filed in Docket No. CP65-361 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Tennessee Gas Transmission Co. to establish physical connection of its natural gas transmission facilities with the facilities proposed to be constructed by Applicant, and to sell and deliver natural gas to Applicant for resale and distribution in the unincorporated communities of Pearlington, Lakeshore, Clermont Harbor, Belle Isle, and Oak Harbor, Hancock County, Miss., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct a distribution system to serve the communities with natural gas. The facilities to be constructed by Applicant are estimated to cost $245,000, which will be financed from the sale of bonds.

Applicant estimates its annual and peak day requirements for natural gas for the initial 3-year period of proposed operations to be as follows:

	First year	Second year	Third year
Annual (Mcf)	21,000	24,500	26,250
Peak day (Mcf)	308	359	384

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before June 18, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5590; Filed, May 27, 1965; 8:47 a.m.]

[Project No. 5]

MONTANA POWER CO.

Order Permitting Intervention and Extending Time for Filing Evidence and Time for Hearing

MAY 21, 1965.

The Commission's order of March 29, 1965, fixed July 20, 1965, as date for a public hearing on the application of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont. (Confederated Tribes) for readjustment of annual charges for use of Indian lands by Project No. 5 of The Montana Power Co. on the Flathead River in Montana.

On April 30, 1965, the Secretary of the Interior (Interior) filed a petition to intervene in these proceedings, and a motion for an extension of time for 2 months within which to prepare and file testimony and exhibits and the time for the hearing.

The Confederated Tribes, on May 5, 1965, filed a response, supporting Interior's petition to intervene, and joining the motion for a two month extension of time.

Interior proposes by this intervention to show that the annual charges for use of Indian lands for operation and maintenance of Project No. 5 by The Montana Power Co. should be readjusted; that such charges should be substantially increased; and that such readjustment should be in accordance with the provisions of section 10(e) of the Federal Power Act, as amended.

The Commission finds:

(1) The participation of the Secretary of the Interior in this proceeding is in the public interest.

(2) It will not be inconsistent with the public interest to extend the time for the filing of evidence and the time for the hearing as hereinafter provided.

The Commission orders:

(A) The Secretary of the Interior is hereby permitted to intervene in the above-entitled proceeding subject to the rules and regulations of the Commission: *Provided*, That the participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; *Provided, further*, That the admission of the Petitioner shall not be construed as recognition by the Commission that the intervener might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(B) The Commission's order of March 29, 1965, fixing this matter for hearing is modified to conform to the following schedule:

(1) The Confederated Tribes and The Montana Power Co. and Interior shall file by July 26, 1965, with the Secretary of the Commission an original and 10 copies of all their testimony including qualifications of witness, and exhibits to be presented in their direct cases;

(2) The Commission Staff shall file by August 23, 1965, with the Secretary, an original and 10 copies of all of its direct testimony and exhibits, including qualifications of witnesses;

(3) All motions to strike shall be filed with the Presiding Examiner by September 7, 1965, with replies to such motions to be filed by September 13, 1965;

(4) The hearing shall commence on September 21, 1965, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., 20426, at which time all parties shall be prepared to proceed with cross-examination on direct with rebuttal, if any, to follow immediately thereafter.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5591; Filed, May 27, 1965; 8:47 a.m.]

[Docket No. CP65-363]

NORTHERN NATURAL GAS CO.

Notice of Application

MAY 21, 1965.

Take notice that on May 14, 1965, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., filed in Docket No. CP65-363 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant seeks to abandon a measuring and regulating station in Dakota County, Minn., presently serving, through Applicant's Peoples Natural Gas Division (Peoples), the Joint Independent School District No. 191 (School District). Applicant states that Peoples has entered into a sales agreement with Minneapolis Gas Co. (Minneapolis) transferring certain natural gas distribution equipment and associated property, and assigning Peoples' gas service contract with School District to Minneapolis. The application states that the facilities which are the subject of the application will no longer be useful to serve School District since Minneapolis proposes to construct a new measuring and regulating station for that purpose.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 18, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, and the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5592; Filed, May 27, 1965; 8:47 a.m.]

TRANSWESTERN PIPELINE CO.

[Docket No. CP65-362]

Notice of Application

MAY 21, 1965.

Take notice that on May 17, 1965, Transwestern Pipeline Co. (Applicant), Post Office Box 1502, Houston, Tex., 77001, filed in Docket No. CP65-362 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas facilities and the sale of up to 25,000 Mcf per day of natural gas to Panhandle Eastern Pipe Line Co. (Panhandle), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate a 6-inch tap valve and appurtenant facilities at the delivery point to Panhandle which is to be located at a point where Applicant's 10-inch Cactus lateral crosses Panhandle's existing Sunray line in Sherman County, Tex. The estimated cost of the facilities is $1,740, which is to be financed from funds on hand.

Applicant requests the authorization to sell up to 25,000 Mcf per day to Panhandle until December 31, 1965, or until Applicant commences deliveries to Natural Gas Pipeline Co. of America pursuant to the exchange program for which authorization is being requested in Docket No. CP65-320, whichever is earlier.

The stated reason for the proposed sale of gas is that Applicant's present deliveries from its Panhandle system are barely sufficient to avoid causing its Panhandle producers to be compelled either to suffer physical drainage, flare casinghead residue gas or suffer loss of leases.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before June 18, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, and the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5593; Filed, May 27, 1965; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

BANK OF WOOD COUNTY CO.

Order Approving Merger of Banks

In the matter of the application of The Bank of Wood County Company for approval of merger with The First National Bank of North Baltimore.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by The Bank of Wood County Co., Bowling Green, Ohio, a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and The First National Bank of North Baltimore, North Baltimore, Ohio, under the charter and title of The Bank of Wood County Co. As an incident to the merger, the sole office of The First National Bank of North Baltimore would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) within seven calendar days after the date of this Order or (b) later than three months after said date.

Dated at Washington, D.C., this 21st day of May, 1965.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 65-5573; Filed, May 27, 1965; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

Utilization and Disposal Service

[Wildlife Order 75]

PORTION OF NATIONAL GUARD TRAINING AREA, CADET POINT, BILOXI, MISS.

Transfer to Department of the Interior

Pursuant to section 2 of Public Law 537, Eightieth Congress, approved May 19, 1943 (16 U.S.C. 667a), notice is hereby given that:

1. By letter from the General Services Administration, Atlanta Regional Office, dated April 30, 1965, the property comprising 6.10 acres of upland and 16.80 acres under water, identified as a portion of the National Guard Training Area (Cadet Point), Biloxi, Miss., and more

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Cleveland.

[2] Voting for this action: Chairman Martin, and Governors Balderston, Robertson, and Maisel. Absent and not voting: Governors Shepardson, Mitchell, and Daane.

particularly described in said letter has been transferred effective April 30, 1965, to the Department of the Interior.

2. The above identified property was transferred to the Department of the Interior for wildlife conservation purposes in accordance with the provisions of section 1 of the said Public Law 537 (16 U.S.C. 667b).

Dated: May 21, 1965.

WALTER C. MORELAND,
Assistant Commissioner for Real Property, Utilization and Disposal Service.

[F.R. Doc. 65-5594; Filed, May 27, 1965; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-711]

AUTOMATION INVESTMENTS CO.

Notice of Proposal To Terminate Registration

MAY 21, 1965.

Notice is hereby given that the Securities and Exchange Commission ("Commission") on its own motion proposes to declare by order, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act"), that Automation Investments Co. ("Automation"), 821 Fifteenth Street NW., Washington 5, D.C., a Delaware corporation, has ceased to be an investment company.

Automation registered as a management closed-end diversified investment company under section 8(a) of the Act by filing a notification of registration on Form N-8A on February 13, 1956. At that time, Automation's name was Automation Industries Corporation. Information in our files indicates that monies deposited by subscribing stockholders have been returned. The Secretary of State of Delaware has informed the Commission that Automation was dissolved on March 10, 1958.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than June 11, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Automation Investments Co. at the address set forth above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in this notice, unless an order for hearing upon this matter shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 65-5598; Filed, May 27, 1965; 8:47 a.m.]

VETERANS ADMINISTRATION

STATEMENT OF ORGANIZATION

Miscellaneous Amendments

The Veterans Administration statement of organization (29 F.R. 6969) is amended as follows:

For California, VA Office, San Diego: Before "2131 Third Ave." insert "Wusaaw Medical Bldg."

For District of Columbia, Hospital, Washington: Delete "20007—2650 Wisconsin Ave. NW." and insert "20422—50 Irving St. NW."

For Hawaii, Regional Office, Honolulu: Before "P.O. Box 3198," insert "680 Ala Moana Blvd."

For Indiana, Hospital, Indianapolis: Delete "Veterans Administration Hospital" and insert: "1481 West 10th St."

For Maine, VA Office, Portland: Delete "171 Middle St." and insert "76 Pearl St."

For Ohio, Regional Office, Cincinnati 45202 through Regional Office, Cleveland 44114: Delete in its entirety and insert:

Regional Office, Cincinnati 45202—Federal Office Bldg., 550 Main St.
VA Office, Columbus 43215—Bryson Bldg., 700 Bryden Rd.
Regional Office, Cleveland 44114—Cuyahoga Bldg., 216 Superior Ave.

Hospital, Cleveland 44130: Delete "7300 York Rd." and insert "10701 East Blvd."

For Pennsylvania, Insurance Center, Philadelphia 19101 through Regional Office, Pittsburgh 15222—107 Sixth St.: Delete in its entirety and insert:

Center (Regional Office and Insurance) (5000 Wissahickon Ave.), Mail: P.O. Box 8079, Remittances: P.O. 7787.
Regional Office, Pittsburgh 15222—1000 Liberty Ave.

For Philippines, Republic of the, Regional Office: Delete in its entirety and insert "Regional Office, Manila—APO 96528, San Francisco, Calif."

For Rhode Island, Regional Office, Providence: Delete "Exchange Pl." and insert "Kennedy Plaza."

For Utah, Regional Office, Salt Lake City: Delete "1255" and insert "125."

By direction of the Administrator.

[SEAL] A. H. MONK,
Acting Deputy Administrator.

[F.R. Doc. 65-5597; Filed, May 27, 1965; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 25, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39800—*Barytes to New Orleans, La.* Filed by O. W. South, Jr., agent (No. A4698), for interested rail carriers. Rates on crude or ground barytes, in carloads, from Athens, Tenn., to New Orleans, La.

Grounds for relief—Market competition.

Tariff—Supplement 16 to Southern Freight Association, agent, tariff I.C.C. S-417.

FSA No. 39801—*Grain and grain products from Oklahoma points.* Filed by Chicago, Rock Island & Pacific Railroad Co. (No. 899), for itself and interested rail carriers. Rates on grain, also soybeans, wheat flour, and bulgur, in carloads, from Goodwell, Guymon, and Texhoma, Okla., to Texas and Louisiana Gulf ports (for export).

Grounds for relief—Rate relationship.

Tariff—Supplements 17 and 20 to Chicago, Rock Island & Pacific Railroad Co. tariff I.C.C. C-13743.

FSA No. 39802—*Liquid caustic soda to Griffin, Ga.* Filed by O. W. South, Jr., agent (No. A4695), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from Memphis, Tenn., to Griffin, Ga.

Grounds for relief—Market competition.

Tariff—Supplement 32 to Southern Freight Association, agent, tariff I.C.C. S-484.

FSA No. 39803—*Chlorine from Acme, N.C.* Filed by O. W. South, Jr., agent (No. A4696), for interested rail carriers. Rates on chlorine, in tank carloads, subject to minimum shipment of 550,000 pounds, from Acme, N.C., to Charleston and Institute, W. Va.

Grounds for relief—Market competition.

Tariff—Supplement 8 to Southern Freight Association, agent, tariff I.C.C. S-517.

By the Commission.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5603; Filed, May 27, 1965; 8:48 a.m.]

[Docket 34540]

MOTOR CARRIER PROBABILITY SAMPLING STUDIES

MAY 21, 1965.

Notice to all Class I and Class II common carriers of general freight having gross revenues over $500,000 with 75 percent or more of such revenues being derived from general commodities.

The Commission, by Division 2, upon consideration of the representations and requests set forth in communications received from motor carriers and other interested parties to notice of April 23, 1965, issued in docket No. 34540, 30 F.R. 5951, has authorized an extension of 90 days beyond the original filing date for submission of comments on the matter of Motor Carrier Probability Sampling. Accordingly, responses, in triplicate, should reach this office not later than August 11, 1965.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5604; Filed, May 27, 1965; 8:48 a.m.]

[Notice 1181]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 25, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-67823. By order of May 20, 1965, the Transfer Board approved the transfer to Ruth Jobe Nester, doing business as Nester Transfer, Welch, W. Va., of the operating rights in Certificate No. MC-495 issued August 29, 1940, to Paul De Mario, Welch, W. Va., authorizing the transportation, over irregular routes, of: Household goods, between Welch, W. Va., and points and places in West Virginia within 15 miles of Welch, W. Va., on the one hand, and, on the other, points and places in Virginia and Kentucky. Albert A. Barley, First National Bank Building, Welch, W. Va., attorney for applicants.

No. MC-FC-67836. By order of May 20, 1965, the Transfer Board approved the transfer to Rowan Transport, Inc., Jamestown, N.Y., of Certificates Nos. MC-112474, MC-112474 (Sub-No. 3), MC-112474 (Sub-No. 4), MC-112474 (Sub-No. 5), and MC-112474 (Sub-No. 7), issued to Walter Rowan, Jamestown, N.Y., September 14, 1956, July 11, 1961, October 10, 1960, January 30, 1963, and November 20, 1964, respectively, authorizing the transportation over irregular routes of salt, in bulk, in dump vehicles, from points in Livingston County, N.Y., to points in Erie, Crawford, Mercer, Venango, Warren, McKean, and Potter Counties, Pa.; such roadbuilding and construction materials as may be transported in dump trucks, in bulk, from points in Chautauqua County, N.Y., to points in Erie, Crawford, Warren, McKean, Potter, Venango, Forest, Elk, and Clarion Counties, Pa.; such bulk commodities as are susceptible of being unloaded by dumping, in dump trucks, from points in Erie, Crawford, Warren, McKean, Potter, Venango, Forest, Elk, and Clarion Counties, Pa., to points in Chautauqua County, N.Y.; salt, from Ludlowville and Watkins Glen, N.Y. to points in Erie, McKean, Potter, and Warren Counties, Pa.; salt, in containers, from Retsof, Livingston County, N.Y., to points in Erie, Crawford, Mercer, Venango, Warren, McKean, and Potter Counties, Pa.; salt, from Watkins Glen and Retsof, N.Y., to points in Potter, Crawford, McKean, Warren, and Erie Counties, Pa.; and pepper, in packages, from Watkins Glen, N.Y., to points in Potter, Crawford, McKean, Warren, and Erie Counties, Pa. Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N.Y., attorney for applicants.

No. MC-FC-67838. By order of May 21, 1965, the Transfer Board approved the transfer to Zip Transfer, Inc., McCook, Nebr., of the operating rights in Certificate No. MC-115742, issued February 28, 1964, to Schultz Trucking Service, Inc., St. Francis, Kans., authorizing the transportation, over regular routes, of general commodities, excluding household goods, and other specified commodities, between Denver, Colo., and Saint Francis, Kans., and over irregular routes, of general commodities, excluding household goods and other specified commodities, between points in that part of Colorado east of the Continental Divide, on the one hand, and, on the other, points in Cheyenne County, Kans., and livestock, grain, livestock feed, seeds, salt, building materials, contractor's tools and equipment, agricultural machinery and tools, coal, wood, fencing materials and posts, scrap metals and junk, between points in Cheyenne, Rawlins, and Sherman Counties, Kans., Yuma County, Colo., and Dundy County, Nebr., on the one hand, and, on the other, Denver, Colo., between points in Cheyenne, Rawlins, and Sherman Counties, Kans., and Yuma County, Colo., on the one hand, and, on the other, points in Dundy County, Nebr., between points in Cheyenne, Rawlins, and Sherman Counties, Kans., on the one hand, and, on the other, points in Yuma County, Colo. Einar Viren, 904 City National Bank Building, Omaha, Nebr., 68102, attorney for applicants.

No. MC-FC-67844. By orders of May 20, 1965, the Transfer Board approved the transfer to Seaboard Van Lines, Inc., 6255 Livingston Road, Oxon Hill, Md., of the operating rights in Certificate No. MC-109856 (Sub-No. 1) issued October 22, 1962, to Ralph DeCosta Shaw, doing business as Seaboard Van Lines, Washington, D.C. (Mail address—6255 Livingston Road, Oxon Hill, Md., 20021), authorizing the transportation, over irregular routes, of: Household goods, as defined by the Commission, between Washington, D.C., on the one hand, and, on the other, points in Maryland, Delaware, New Jersey, Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Wisconsin, Michigan, Virginia, Kentucky, North Carolina, South Carolina, Georgia, New York, Connecticut, Rhode Island, and Massachusetts. Between Washington, D.C., on the one hand, and, on the other, points in Maryland and Virginia within 40 miles of Washington, D.C.

No. MC-FC-67846. By order of May 21, 1965, the Transfer Board approved the transfer to Warren Russell, doing business as Russell Transportation, Shambaugh, Iowa, of the operating rights in Certificate No. MC-22509 issued December 3, 1942, to E. I. Maranville, Clarinda, Iowa, authorizing the transportation, over regular routes, of livestock, feed, seed, scrap metal, and junk, and farm implements, between specified points and areas in Iowa, Missouri, and Nebraska, and household goods and emigrant movables, between Clarinda, Iowa, and 20 miles thereof, in a radial movement, to specified points in Missouri and Nebraska. Einar Viren, 904 City National Bank Building, Omaha, Nebr., attorney for applicants.

No. MC-FC-67892. By order of May 20, 1965, the Transfer Board approved the transfer to Erdine L. Sykes, doing business as Sykes Van Lines, Jacksonville, Fla., of the operating rights in Certificate No. MC-109856 (Sub-No. 2) issued April 23, 1954, to Ralph DeCosta Shaw, doing business as Seaboard Van Lines, Washington, D.C., authorizing the transportation, over irregular routes, of: Household goods, as defined by the Commission, between Pontiac, Ill., and points within 35 miles thereof, on the one hand, and, on the other points in Wisconsin, Minnesota, Michigan, Iowa, Nebraska, Colorado, Missouri, Kansas, Kentucky, Indiana, Ohio, and Pennsylvania. Richard B. Austin, 616 Atlantic National Bank Building, Jacksonville, Fla., 32202, attorney for applicants.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5605; Filed, May 27, 1965; 8:48 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

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